

crosswind direction followed by movement in an upwind direction. If your primary exit route or primary assembly area is unsafe, use alternate route or alternate assembly area.

If the evacuation emergency occurs while you are driving in the facility, stop the vehicle and turn off the ignition but leave the key to the vehicle. Leave your vehicle, recognize where the emergency is and proceed to the safest evacuation route then to the gathering point. You should be aware of the wind direction and possible dangers presented by gas being carried by the wind. Move first in a crosswind direction followed by movement in an upwind direction. If your primary exit route is unsafe, seek an alternate route.

Everyone should remain at the assembly area until all personnel have been accounted for. After all personnel have been accounted for and this information has been reported to the EC, efforts can be directed to controlling the emergency. All employees shall remain at the assembly area until the fire department or other emergency response agency notifies the EC that:

- The facility is safe for re-entry, in which case personnel shall return to their work places; and
- The facility is not safe, in which case personnel shall be instructed how and when to leave the site.

If the EC determines that it is necessary to evacuate the surrounding area, the EC shall:

- Notify the West Baton Rouge Parish authorities (911) and the LSP Hotline (225-925-6595). They will provide for the evacuation and isolation of the public community;
- Once the public has been evacuated, the road blocks should remain in place until the All Clear signal is authorized by the EC; and
- The EC will advise the authorities when the All Clear signal has been sounded.

6.1 Accounting for Employees/Visitors After Evacuation

Once an evacuation has occurred, the EC is responsible for accounting for each employee, contractors, and visitors at the designated gathering point. Each employee is responsible for reporting to the EC or his designee so an accurate head count can be made.

6.2 Re-Entry

Once the facility has been evacuated, no one shall re-enter the facility for any reason, except for designated and properly trained rescue personnel such as fire department or emergency medical professionals. Untrained individuals may endanger themselves and/or those they are trying to rescue.

6.3 Sheltering-In-Place

In the event that hazardous toxic chemicals are released into the environment in the vicinity of the plant, the EC may determine that it is safer to remain indoors (in the control room or office trailer) rather than evacuating the facility. In this case, employees, contractors, and visitors shall be notified to Shelter-in-Place. All personnel including visitors shall immediately depart to the nearest Shelter-in-Place without venturing outside. Once the facility has been evacuated, no one shall re-enter the facility for any reason, except for designated and properly trained rescue personnel such as fire department or emergency medical professionals. Untrained individuals may endanger themselves and/or those they are trying to rescue.

6.4 Severe Weather

The Plant Supervisor shall announce severe weather alerts (such as tornados) by public address system or by other means of immediate notification available at the facility. All employees shall immediately retreat to the designated safe area until the threat of severe weather has passed as communicated by the Plant Supervisor.

6.5 All Clear Designation

The EC will designate the site All Clear with one long blast of the horn only after the following:

- Ensuring that the safety/health hazard no longer poses a threat to facility personnel;
- Consultation with the Safety Officer;
- Ensuring clean-up operations are complete;
- Appropriate Controlled Response Procedures have been followed by all personnel;
- The appropriate company management personnel have been notified;
- The proper government agencies have been notified; and
- Termination procedures are in place and being followed.

7.0 POST-EMERGENCY PROCEDURES

For the purposes of this Contingency Plan, post-emergency procedures are activities that follow the approval of the All Clear Notification (**Section 6.65**) by the EC.

7.1 Cleanup and Decontamination

Immediately after an emergency, the EC will make arrangements for treatment, storage, and/or off-site disposal of recovered wastes, contaminated soil, surface water, or any other contaminated material hazardous waste and hazardous waste contaminated media resulting from the incident.

Besides spilled or released material, Wastesany contaminated soil or debris which has been created as a result of a spill will be picked up and placed in drums, roll-off containers, or

dump trailers and disposed at an approved waste disposal facility; however, When possible, wastes generated during an emergency will be treated on site. OBSM may be reclaimed in the Thermaladyne process.

After an emergency event, all emergency equipment used in that event will be cleaned, checked to ensure it is in good working order, and placed back in service.

If the cleanup involves hazardous waste and is done by facility employees, then the emergency response is still in effect. The EC will ensure that the cleanup personnel comply with 29 CFR 1910.120 paragraphs (b) through (o) or have completed the training requirements of the following:

- Emergency Planning – 29 CFR 1910.38(a);
- Personal Protective Equipment including Respiratory Protection – 29 CFR 1910.134 or 29 CFR 1910.132;
- Hazard Communication – 29 CFR 1910.1200; and
- Appropriate Hazardous Waste Training – LAC 33:V.1515.

7.2 Post-Emergency Response

If the facility stops operations in response to a fire, explosion, or release of hazardous waste, the EC will monitor for leaks, pressure buildup, gas generation, or ruptures in valves, pipes, or other equipment, wherever appropriate. Unless it can be demonstrated that the recovered material is not a hazardous waste, Thermaladyne will assume generator status and manage the hazardous waste in accordance with all applicable requirements.

Immediately after the emergency, the EC will provide for treating, storing, or disposing off-site of required waste, contaminated soil or surface water, or any other material that results from a release, fire or explosions at the facility (i.e., contaminated sorbent pads will be drummed in EPA/DOT approved containers and transported to an off-site disposal facility). The EC will ensure that in the affected area(s) of the facility:

- No waste that may be incompatible with the released materials is treated, stored, and disposed of until cleanup procedures are completed; and
- All emergency equipment listed in this plan is cleaned and fit for its intended use before operations are resumed.

After an emergency involving hazardous waste, and before affected facility operations are resumed, the EC will notify the LDEQ that the facility is back in compliance and plans to resume operations.

8.0 ARRANGEMENTS WITH LOCAL AUTHORITIES

Thermalayne has requested formal agreements with the following outside agencies and organizations for aid in the event of a hazardous waste emergency:

- West Baton Rouge Parish Office of Homeland Security & Emergency Preparedness
- West Baton Rouge Parish Sheriff Office
- Port Allen Police Department
- Acadian Ambulance
- Port Allen Fire Department
- LDEQ Emergency Response
- Louisiana State Police
- Our Lady of the Lake

Copies of the requests and/or responses are provided in **Attachment 4** of the Contingency Plan or maintained in the Contingency Plan files as they are received.

9.0 POST-INCIDENT REPORTING

The EC will note in the operating record the time, date, and details of any incident that requires implementation of the Contingency Plan.

Within 15 days after a hazardous waste incident, the EC will submit a written report on the incident to LDEQ Single Point of Contact (SPOC). The report will include the following:

1. Name, address, and telephone number of the owner or operator;
2. Name, address, and telephone number of the facility;
3. Date, time, and type if incident (e.g., fire, explosion, release);
4. Name and quantity of material(s) involved;
5. The extent of injuries, if any;
6. An assessment of actual or potential hazards to human health or the environment, where applicable; and
7. An estimated quantity and disposition of recovered material that resulted from the incident.

The report shall be mailed to:

Louisiana Department of Environmental Quality
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312
ATTENTION: Office of Environmental Compliance
"Implementation of Contingency Plan Report"

10.0 TRAINING

At least annually, facility personnel shall receive training on the contingency plan content and implementation, depending on their job description. All facility personnel, contractors and site visitors shall be familiar with emergency response communications, alarms and evacuation routes.

11.0 REVISIONS AND RECORDKEEPING

11.1 Revisions

This Contingency Plan will be reviewed and immediately amended under the following circumstances:

- The plan fails in an emergency;
- The facility changes its design, construction, operation, maintenance, or other circumstances in a way that materially increases the potential for fires, explosions, or releases of hazardous waste or hazardous waste constituents;
- The list of ECs changes;
- The list of emergency equipment changes;
- The facility changes the response necessary in an emergency; or
- Applicable regulations are revised.

11.2 Recordkeeping

Copies of the Contingency Plan and all revisions to the plan must be:

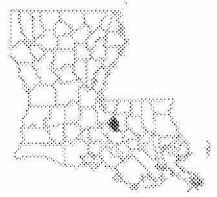
- Maintained at the facility; and
- Submitted to all local police departments, fire departments, and state and local emergency response teams that may be called upon to provide emergency services.

The following records will also be maintained by the facility:

- Documentation of arrangements or attempted arrangements with emergency response services; and
- Hazardous waste training and emergency equipment inspection records.

FIGURES

FIGURE 1
SITE LOCATION MAP



West Baton Rouge Parish



USGS 24K Series Quad Map, Baton Rouge West, LA.



Thermaldyne, LLC

Port Allen, Louisiana

Port Allen Facility

Site Location Map

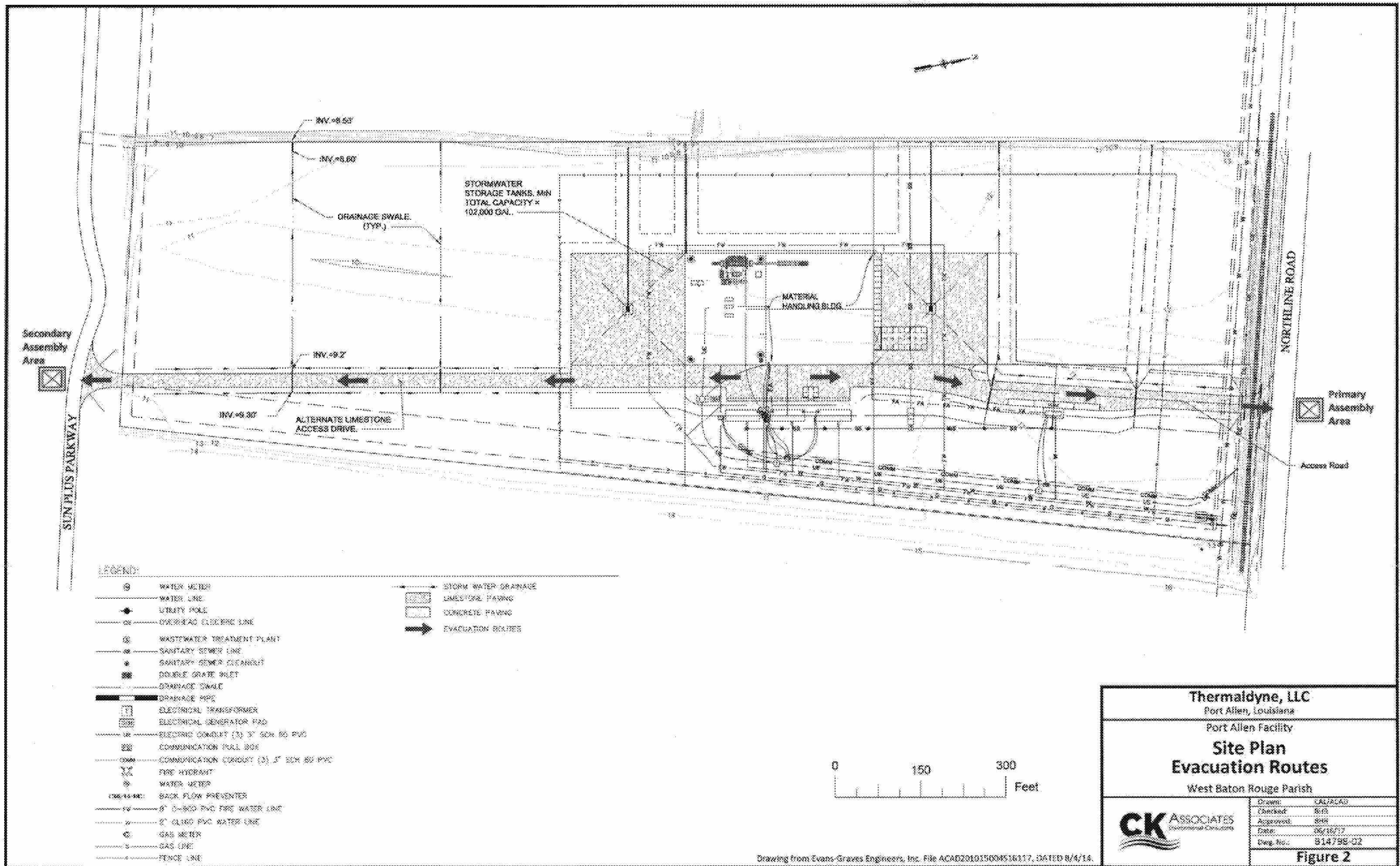
West Baton Rouge Parish

Drawn:	CAL/AM/10.5
Checked:	BHR
Approved:	BHR
Date:	06/16/17
Dwg. No.:	A14798-01

Figure1

FIGURE 2

SITE PLAN AND EVACUATION ROUTES



ATTACHMENTS

ATTACHMENT 1

EMERGENCY COORDINATORS

Thermaldyne LLC
Emergency Coordinators¹

Title	Name	Telephone
Primary EC	To be provided prior to operations	
Alternate EC	To be provided prior to operations	
Alternate EC	To be provided prior to operations	

NOTES:

1. All Emergency Coordinators may be contacted through the listed numbers. Home addresses and alternate telephone numbers are maintained in the control room and can be produced upon request.

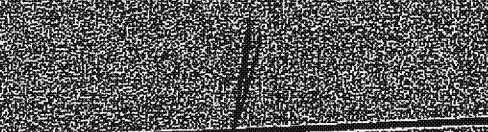
ATTACHMENT 2

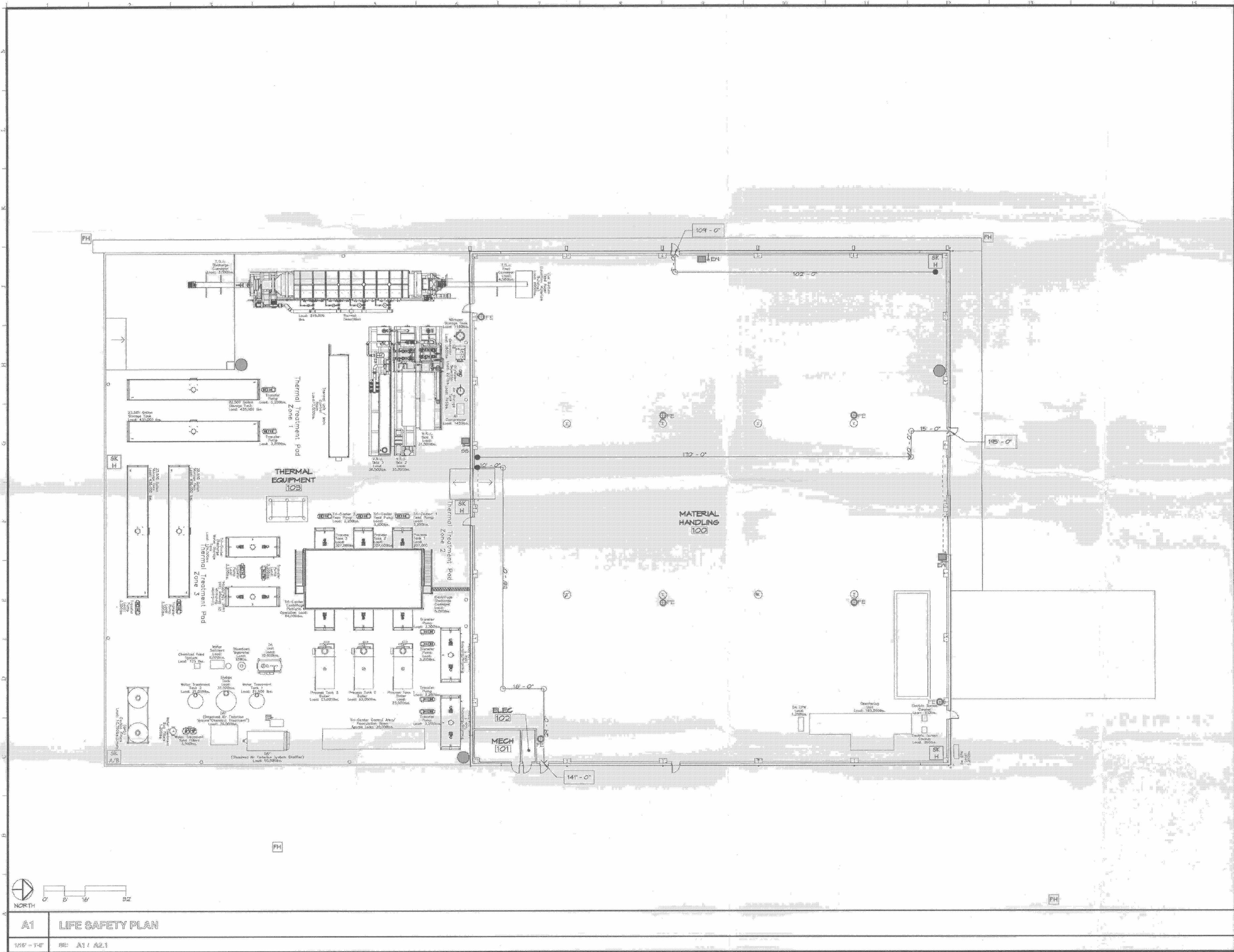
EMERGENCY EQUIPMENT

Emergency Equipment

<u>Equipment</u>	<u>Location</u>	<u>Capability</u>
<u>7 Fire Extinguishers</u>	<u>See Life Safety Plan</u> <u>(Attachment 2)</u>	<u>4A: 80B-C</u>
<u>2 Eye Wash Stations</u>		<u>Permanent</u>
<u>Safety Shower</u>		<u>Permanent</u>
<u>4 Spill Kits</u>		<u>Containment of spills</u> <u>involving hydrocarbons,</u> <u>coolants, solvents, and water</u>
<u>1 Spill Kit</u>		<u>Containment of acids and</u> <u>bases</u>
<u>3 Spill Stations</u>		<u>Containment of oily spills</u>

OVERSIZED MAP





BUILDING DATA

BUILDING IS 31,562 SF
BUILDING IS PROTECTED BY AN AUTOMATIC SPRINKLER SYSTEM
BUILDING HAS A FIRE ALARM

	IBC	NFPA 101
OCCUPANT CLASSIFICATION	FACTORY GROUP F-1	INDUSTRIAL
OCCUPANT LOAD	100 SF/PERSON = 316 OCCUPANTS	100 SF/PERSON = 316 OCCUPANTS
CONSTRUCTION TYPE	IB	I (100)
MAXIMUM TRAVEL DISTANCE	250'	250'
MAXIMUM COMMON PATH	100'	100'

APPLICABLE CODES:
2015 INTERNATIONAL BUILDING CODE
2015 NFPA 101: LIFE SAFETY CODE

LEGEND

5' - 0" LINE OF TRAVEL PATH

● START

○ TURN

→ DISCHARGE

FE FIRE EXTINGUISHER
4A: DO B-C

SS/EH SAFETY SHOWER/EYE WASH
RE: PLUMBING

● SPILL CONTROL STATION

SK H SPILL KIT (Hydrocarbons, coolants, solvents, water)

SK A/B SPILL KIT (Acids/Bases)

FH FIRE HYDRANT

THERMALDYNE
ARKEL Constructors

No.	Revision/Description	Date
1	ISSUED FOR CONSTRUCTION	11/10/17

CRUMPWILSON
ARCHITECTS

Project: **THERMALDYNE FACILITY PROJECT**
PORT ALLIN, LOUISIANA

Drawing: **LIFE SAFETY PLAN**

Seal:	Project Number: 55-17
File Name: THERM	
Drawn By: CHS/CMS	
PM/TC: CHS/MFW	

Date: 11/10/17

G1.2

ATTACHMENT 3

EMERGENCY RESPONSE CONTACTS

Emergency Response Contacts

Federal Agencies	
National Response Center (NRC)	800-424-8802
EPA Region 6	214-665-2222
DOT Hazardous Materials Information	800-366-4488
Louisiana State Agencies	
LA Dept. of Env. Quality (LDEQ)	225-342-1234
Louisiana State Police	225-925-6595
Louisiana Oil Spill Coordinators Office	225-922-3230
Local Agencies	
West Baton Rouge Parish Sheriff's Office	911 (emergency) 225-343-9234 (non-emergency)
West Baton Rouge Parish Office of Homeland Security and Emergency Preparedness	225-346-1577 (day) 911(emergency)
Port Allen Police Department	225-343-5525 (day) 911 (emergency)
West Baton Rouge Fire Department	225-346-5676 or 911 (emergency)
Medical	
Acadian Ambulance	911 (emergency) 800-259-9771 (non-emergency)
Our Lady of the Lake Hospital	225-765-6565

ATTACHMENT 4

LETTERS OF ARRANGEMENT



17170 PERKINS ROAD
BATON ROUGE, LA 70810
PHONE (225) 755-1000
FAX (225) 751-2010
www.c-ka.com

February 14, 2018

Mr. Neil Davis, HSE Director
Acadian Ambulance Service
P.O. Box 98000
Lafayette, LA 70509-8000

HOUSTON, TX
PHONE (281) 397-9016
FAX (281) 397-6637

LAKE CHARLES, LA
PHONE (337) 625-6577
FAX (337) 625-6580

SHREVEPORT, LA
PHONE (318) 797-8636
FAX (318) 797-0478

**RE: Thermaldyne, LLC
Port Allen, Louisiana
Request for Arrangements**

Dear Mr. Davis:

Thermaldyne, LLC (Thermaldyne) is constructing a reclamation facility for oil-bearing secondary materials. The facility is located at 2325 North Line Road, Port Allen, Louisiana, 70767. In accordance with Louisiana hazardous waste regulations, specifically LAC 33:V.1511.G, Thermaldyne must attempt to make arrangements to familiarize local authorities or agencies that are subject to respond to an emergency at the facility. On behalf of Thermaldyne, CK Associates is submitting this request regarding these arrangements.

Arrangements will be made, at your request, to familiarize your agency with the layout of the site, properties and associated hazards of the hazardous wastes to be handled, places where personnel would be working, security procedures, and possible evacuation routes. The facility is expected to complete construction and begin operations in mid- to late-2018.

Thermaldyne also respectfully requests that you complete the enclosed written documentation indicating whether your agency can or cannot provide emergency services should an emergency arise at Thermaldyne. A self-addressed, stamped envelope is enclosed for your convenience.

A copy of the Hazardous Waste Contingency Plan will be provided to you prior to operations.

Please contact me at 225.755.1000 or at brooks.ray@c-ka.com with any questions relative to this matter. If you would like to make arrangements to familiarize your agency with the facility, please contact Ricky Cates (President of Thermaldyne) at 337.288.4600 or at rcates@thermaldyne.com.

Sincerely,
CK Associates

Brooks Ray
Environmental Scientist

Enclosure



**THERMALDYNE, LLC
PORT ALLEN FACILITY**

ARRANGEMENTS FOR EMERGENCY SERVICES

Please read and check the following statement that applies to your cooperation in providing emergency services to the ThermalDyne Port Allen Facility located at 2325 North Line Road, Port Allen, West Baton Rouge Parish, Louisiana, 70767:

- ☐ The Emergency Response Agency can provide emergency services.
- ☐ The Emergency Response Agency cannot provide emergency services.

Additional Comments:

Signature of representative of Emergency Response Agency and Date

Print/Type name of representative of Emergency Response Agency

Name of Emergency Response Agency



17170 PERKINS ROAD
BATON ROUGE, LA 70810
PHONE (225) 755-1000
FAX (225) 751-2010
www.c-ka.com

February 14, 2018

West Baton Rouge Fire Department
700 North Alexander Ave
Port Allen, Louisiana 70767
Attn: Chief Kenny Hunts

HOUSTON, TX
PHONE (281) 397-9016
FAX (281) 397-6637

LAKE CHARLES, LA
PHONE (337) 625-6577
FAX (337) 625-6580

SHREVEPORT, LA
PHONE (318) 797-8636
FAX (318) 798-0478

**RE: Thermaldyne, LLC
Port Allen, Louisiana
Request for Arrangements**

Dear Chief Hunts:

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Sincerely,
CK Associates

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Brooks Ray
Environmental Scientist

Enclosure



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PORT ALLEN FACILITY**

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17170 PERKINS ROAD
BATON ROUGE, LA 70810
PHONE (225) 755-1000
FAX (225) 751-2010
www.c-ka.com

February 14, 2018

Louisiana State Police, Troop A
17801 Highland Road
Baton Rouge, LA 70810
Attn: Captain William Davis

HOUSTON, TX
PHONE (281) 397-9016
FAX (281) 397-6637

LAKE CHARLES, LA
PHONE (337) 625-6577
FAX (337) 625-6580

SHREVEPORT, LA
PHONE (318) 797-8636
FAX (318) 798-0478

**RE: Thermaldyne, LLC
Port Allen, Louisiana
Request for Arrangements**

Dear Captain Davis:

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Sincerely,
CK Associates

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Brooks Ray
Environmental Scientist

Enclosure



**THERMALDYNE, LLC
PORT ALLEN FACILITY**

ARRANGEMENTS FOR EMERGENCY SERVICES

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Print/Type name of representative of Emergency Response Agency

Name of Emergency Response Agency



17170 PERKINS ROAD
BATON ROUGE, LA 70810
PHONE (225) 755-1000
FAX (225) 751-2010
www.c-ka.com

February 14, 2018

Louisiana Department of Environmental Quality
Emergency Response Division
P.O. Box 4312
Baton Rouge, Louisiana 70821-4312
Attention: Mr. Jeff Dauzat

HOUSTON, TX
PHONE (281) 397-9016
FAX (281) 397-6637

LAKE CHARLES, LA
PHONE (337) 625-6577
FAX (337) 625-6580

SHREVEPORT, LA
PHONE (318) 797-8636
FAX (318) 798-0478

**RE: Thermaldyne, LLC
Port Allen, Louisiana
Request for Arrangements**

Dear Mr. Dauzat:

Thermaldyne, LLC (Thermaldyne) is constructing a reclamation facility for oil-bearing secondary materials. The facility is located at 2325 North Line Road, Port Allen, Louisiana, 70767. In accordance with Louisiana hazardous waste regulations, specifically LAC 33:V.1511.G, Thermaldyne must attempt to make arrangements to familiarize local authorities or agencies that are subject to respond to an emergency at the facility. On behalf of Thermaldyne, CK Associates is submitting this request regarding these arrangements.

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Sincerely,
CK Associates

Brooks Ray
Environmental Scientist

Enclosure



**THERMALDYNE, LLC
PORT ALLEN FACILITY**

ARRANGEMENTS FOR EMERGENCY SERVICES

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Additional Comments:

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Print/Type name of representative of Emergency Response Agency

Name of Emergency Response Agency



17170 PERKINS ROAD
BATON ROUGE, LA 70810
PHONE (225) 755-1000
FAX (225) 751-2010
www.c-ka.com

February 14, 2018

West Baton Rouge Parish
Office of Homeland Security and Emergency Preparedness
2413 Ernest Wilson Dr.
Port Allen, Louisiana 70767
Attn: Mr. Deano Moran

HOUSTON, TX
PHONE (281) 397-9016
FAX (281) 397-6637

LAKE CHARLES, LA
PHONE (337) 625-6577
FAX (337) 625-6580

SHREVEPORT, LA
PHONE (318) 797-8636
FAX (318) 798-0478

**RE: Thermaldyne, LLC
Port Allen, Louisiana
Request for Arrangements**

Dear Mr. Moran:

Thermaldyne, LLC (Thermaldyne) is constructing a reclamation facility for oil-bearing secondary materials. The facility is located at 2325 North Line Road, Port Allen, Louisiana, 70767. In accordance with Louisiana hazardous waste regulations, specifically LAC 33:V.1511.G, Thermaldyne must attempt to make arrangements to familiarize local authorities or agencies that are subject to respond to an emergency at the facility. On behalf of Thermaldyne, CK Associates is submitting this request regarding these arrangements.

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Sincerely,
CK Associates

Brooks Ray
Environmental Scientist

Enclosure



**THERMALDYNE, LLC
PORT ALLEN FACILITY**

ARRANGEMENTS FOR EMERGENCY SERVICES

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Name of Emergency Response Agency



17170 PERKINS ROAD
BATON ROUGE, LA 70810
PHONE (225) 755-1000
FAX (225) 755-2010
www.c-ka.com

February 14, 2018

Divisional Director, Emergency Services
Our Lady of the Lake Regional Medical Center
5000 Hennessy Boulevard
Baton Rouge, Louisiana 70808

HOUSTON, TX
PHONE (281) 397-9016
FAX (281) 397-6637

LAKE CHARLES, LA
PHONE (337) 625-6577
FAX (337) 625-6580

SHREVEPORT, LA
PHONE (318) 797-8636
FAX (318) 795-0478

**RE: Thermaldyne, LLC
Port Allen, Louisiana
Request for Arrangements**

Dear Director:

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Sincerely,
CK Associates

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Brooks Ray
Environmental Scientist

Enclosure



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PORT ALLEN FACILITY**

ARRANGEMENTS FOR EMERGENCY SERVICES

Please read and check the following statement that applies to your cooperation in providing emergency services to the ThermalDyne Port Allen Facility located at 2325 North Line Road, Port Allen, West Baton Rouge Parish, Louisiana, 70767:

- ☐ The Emergency Response Agency can provide emergency services.
- ☐ The Emergency Response Agency cannot provide emergency services.

Additional Comments:

Signature of representative of Emergency Response Agency and Date

Print/Type name of representative of Emergency Response Agency

Name of Emergency Response Agency



17170 PERKINS ROAD
BATON ROUGE, LA 70810
PHONE (225) 751-1000
FAX (225) 751-2010
www.c-ka.com

February 14, 2018

Port Allen Police Department
375 Court Street
Port Allen, Louisiana 70767
Attn: Chief Esdron Brown

HOUSTON, TX
PHONE (281) 397-9016
FAX (281) 397-6637

LAKE CHARLES, LA
PHONE (337) 625-6577
FAX (337) 625-6580

SHREVEPORT, LA
PHONE (318) 797-8636
FAX (318) 797-0478

**RE: Thermaldyne, LLC
Port Allen, Louisiana
Request for Arrangements**

Dear Chief Brown:

Thermaldyne, LLC (Thermaldyne) is constructing a reclamation facility for oil-bearing secondary materials. The facility is located at 2325 North Line Road, Port Allen, Louisiana, 70767. In accordance with Louisiana hazardous waste regulations, specifically LAC 33:V.1511.G, Thermaldyne must attempt to make arrangements to familiarize local authorities or agencies that are subject to respond to an emergency at the facility. On behalf of Thermaldyne, CK Associates is submitting this request regarding these arrangements.

Arrangements will be made, at your request, to familiarize your agency with the layout of the site, properties and associated hazards of the hazardous wastes to be handled, places where personnel would be working, security procedures, and possible evacuation routes. The facility is expected to complete construction and begin operations in mid- to late-2018.

Thermaldyne also respectfully requests that you complete the enclosed written documentation indicating whether your agency can or cannot provide emergency services should an emergency arise at Thermaldyne. A self-addressed, stamped envelope is enclosed for your convenience.

A copy of the Hazardous Waste Contingency Plan will be provided to you prior to operations.

Please contact me at 225.755.1000 or at brooks.ray@c-ka.com with any questions relative to this matter. If you would like to make arrangements to familiarize your agency with the facility, please contact Ricky Cates (President of Thermaldyne) at 337.288.4600 or at rcates@thermaldyne.com.

Sincerely,
CK Associates

A handwritten signature in black ink that reads 'Brooks Ray'. The signature is written in a cursive, flowing style.

Brooks Ray
Environmental Scientist

Enclosure



THERMALDYNE, LLC
PORT ALLEN FACILITY

ARRANGEMENTS FOR EMERGENCY SERVICES

Please read and check the following statement that applies to your cooperation in providing emergency services to the ThermalDyne Port Allen Facility located at 2325 North Line Road, Port Allen, West Baton Rouge Parish, Louisiana, 70767:

- ☐ The Emergency Response Agency can provide emergency services.
- ☐ The Emergency Response Agency cannot provide emergency services.

Additional Comments:

Signature of representative of Emergency Response Agency and Date

Print/Type name of representative of Emergency Response Agency

Name of Emergency Response Agency



17170 PERKINS ROAD
BATON ROUGE, LA 70810
PHONE (225) 755-1000
FAX (225) 751-2010
www.c-k-a.com

February 14, 2018

West Baton Rouge Parish Sheriff's Office
P.O. Box 129
Port Allen, Louisiana 70767
Attn: Sheriff Mike Cazes

HOUSTON, TX
PHONE (281) 397-9016
FAX (281) 397-6637

LAKE CHARLES, LA
PHONE (337) 625-6577
FAX (337) 625-6580

SHREVEPORT, LA
PHONE (318) 797-8636
FAX (318) 798-0478

**RE: Thermaldyne, LLC
Port Allen, Louisiana
Request for Arrangements**

Dear Sheriff Cazes:

Thermaldyne, LLC (Thermaldyne) is constructing a reclamation facility for oil-bearing secondary materials. The facility is located at 2325 North Line Road, Port Allen, Louisiana, 70767. In accordance with Louisiana hazardous waste regulations, specifically LAC 33:V.1511.G, Thermaldyne must attempt to make arrangements to familiarize local authorities or agencies that are subject to respond to an emergency at the facility. On behalf of Thermaldyne, CK Associates is submitting this request regarding these arrangements.

Arrangements will be made, at your request, to familiarize your agency with the layout of the site, properties and associated hazards of the hazardous wastes to be handled, places where personnel would be working, security procedures, and possible evacuation routes. The facility is expected to complete construction and begin operations in mid- to late-2018.

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A copy of the Hazardous Waste Contingency Plan will be provided to you prior to operations.

Please contact me at 225.755.1000 or at brooks.ray@c-ka.com with any questions relative to this matter. If you would like to make arrangements to familiarize your agency with the facility, please contact Ricky Cates (President of Thermaldyne) at 337.288.4600 or at rcates@thermaldyne.com.

Sincerely,
CK Associates

A handwritten signature in black ink that reads 'Brooks Ray'. The signature is written in a cursive, flowing style.

Brooks Ray
Environmental Scientist

Enclosure



**THERMALDYNE, LLC
PORT ALLEN FACILITY**

ARRANGEMENTS FOR EMERGENCY SERVICES

Please read and check the following statement that applies to your cooperation in providing emergency services to the ThermalDyne Port Allen Facility located at 2325 North Line Road, Port Allen, West Baton Rouge Parish, Louisiana, 70767:

- ☐ The Emergency Response Agency can provide emergency services.
- ☐ The Emergency Response Agency cannot provide emergency services.

Additional Comments:

Signature of representative of Emergency Response Agency and Date

Print/Type name of representative of Emergency Response Agency

Name of Emergency Response Agency

APPENDIX G

REVISED CLOSURE COST ESTIMATES

Table 1
Itemized Closure Cost Estimate
Thermaladyne, LLC

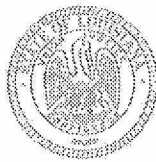
Notification of Closure	Unit	Quantity	Unit Price	Total Cost
Notification of Closure to LDEQ	Lump Sum	1	\$1,200.00	\$1,200.00
			Subtotal	\$1,200.00
Equipment Cleaning and Waste Disposal	Unit	Quantity	Unit Price	Total Cost
Mobilization/demobilization of equipment	Lump Sum	1	\$5,000.00	\$5,000.00
Labor costs for decontamination of process equipment and frack tank (5 man crew)	Per Day	15	\$2,800.00	\$42,000.00
Equipment Rental	Per Day	15	\$1,000.00	\$15,000.00
Hazardous Liquid disposal from cleaning equipment	Gal	20,000	\$1.74	\$34,800.00
Hazardous Liquid Transportation	6,900 gallon per truck	3	\$3,060.00	\$9,180.00
Non-hazardous liquid disposal from cleaning equipment	Gal	80,000	\$0.37	\$29,600.00
Non-hazardous liquid transportation	Gal	80,000	\$0.20	\$16,000.00
Disposal of Hazardous Sludge/OBSM	Ton	77	\$595.00	\$45,815.00
Hazardous Sludge/OBSM Transportation	18 ton load per Truck	5	\$2,200.00	\$11,000.00
Frac Tank Rinsing	Lump Sum	5	\$600.00	\$3,000.00
Frac Tank liner disposal	Lump Sum	1	\$1,750.00	\$1,750.00
			Subtotal	\$213,145.00
Demolition of Floor at Materials Handling Building	Unit	Quantity	Unit Price	Total Cost
Mobilization/demobilization of equipment	Lump Sum	1	\$5,000.00	\$5,000.00
Labor costs for demolition of floor at material handling building (5 man crew)	Per Day	15	\$2,800.00	\$42,000.00
Removal and staging of crushed concrete flooring	yd ³	834	\$2.49	\$2,076.66
Removal and staging of limestone and soil	yd ³	1,389	\$2.49	\$3,458.61
Loading of flooring, limestone, and soil into trucks	yd ³	2,223	\$2.49	\$5,535.27
Transportation of flooring, limestone, and soil to landfill	yd ³	2,223	\$14.00	\$31,122.00
Disposal of flooring, limestone, and soil to landfill	Ton	3,890	\$35.00	\$136,158.75
Equipment Rental	Per Day	15	\$2,515.00	\$37,725.00
			Subtotal	\$263,076.29
Clean Closure Analytical Testing	Unit	Quantity	Unit Price	Total Cost
Sampling, analysis, and reporting	Lump Sum	1	\$40,000.00	\$40,000.00
			Subtotal	\$40,000.00
Personal Protective Equipment	Unit	Quantity	Unit Price	Total Cost
Personal Protective Equipment	Lump Sum	1	\$5,000.00	\$5,000.00
Engineer Oversight and Closure Inspection	Unit	Quantity	Unit Price	Total Cost
Supervision by Professional Engineer	Lump Sum	1	\$10,000.00	\$10,000.00
Closure Report	Lump Sum	1	\$5,000.00	\$5,000.00
			Subtotal	\$15,000.00

Subtotal Closure Cost	\$537,421
20% Contingency	\$107,484
Total Closure Cost	\$644,906

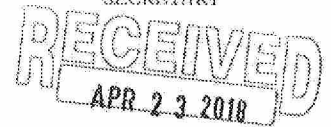
Notes:

- 1) Assume 20% of liquids will be hazardous.
- 2) Assume hazardous waste will be disposed of at the nearest permitted facility.
- 3) Assume non-hazardous waste will be disposed of at the nearest permitted facility.
- 4) Unit prices were obtained from RSMeans, professional judgement, and third party contractors.
- 5) All costs assume closure is conducted by third party contractors.
- 6) Site will be clean closed and no remediation is required.

JOHN BEL EDWARDS
GOVERNOR



CHUCK CARR BROWN, Ph.D.
SECRETARY



State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
ENVIRONMENTAL SERVICES

4/11/2018

Telephone: (214) 665-6750
Fax: (214) 665-6762
Email: Fruitwala.Kishor@epamail.epa.gov

Mr. Kishor Fruitwala
EPA Region VI
1445 Ross Avenue
Dallas, TX 752022733

RE: Request for Public Comments on A Draft Site Specific Feedstock Variance From Classification As A Solid Waste
Thermaladyne LLC - Thermaladyne Port Allen Facility
AII198467, PER20170004, EPA ID Number LAR 000 101 236
Port Allen, West Baton Rouge Parish, Louisiana

Dear Mr. Fruitwala:

The Louisiana Department of Environmental Quality (LDEQ) is enclosing for your review a copy of the Draft Site Specific Feedstock Variance and public notice for the above referenced facility.

The legal notice is scheduled to be published in/or announced on:

WJBO -AM 1150
West Side Journal
Advocate

Thursday, April 19, 2018
Thursday, April 19, 2018
Thursday, April 19, 2018

The notice is also posted on the LDEQ Website, found at www.deq.state.la.us. Written comments on this action may be submitted to Public Participation Group, LDEQ-OES, Permit Support Services Division, P.O. Box 4313, Baton Rouge, LA 70821-4313. All comments regarding the permit(s) should specify Agency Interest (AI) No. 198467.

Should you have any questions, additional information may be obtained from Nora Lane, LDEQ, Permits Division, P.O. Box 4313, Baton Rouge, LA 70821-4313, telephone (225) 219-3181. Should you have any questions regarding the public notice, please contact me at (225) 219-3277.

Please complete the attached 'Verification by EPA' and mail to Laura Ambeau, LDEQ-OES, Permit Support Services Division, PO Box 4313, Baton Rouge, LA 70821-4313, or fax to (225) 325-8157. We appreciate your assistance in our efforts to serve the public. If you have any questions, please call me at (225) 219-3277.

Sincerely,

Laura Ambeau

Laura Ambeau
Environmental Scientist, Public Participation Group

VERIFICATION BY EPA

The undersigned verifies that Region VI, 1445 Ross Avenue, Dallas, TX has received a copy of the Draft Site Specific Variance associated with the following public notice:

**Request for Public Comments on a Hazardous Waste Site Specific Variance
Thermalayne LLC - Thermalayne Port Allen Facility
AI198467, PER20170004, EPA ID Number LAR 000 101 236
Port Allen, West Baton Rouge Parish, Louisiana**

EPA Region VI:

By: _____ Date: _____

Please complete and return this form promptly to the address listed below:

**Laura Ambeau
Louisiana Department of Environmental Quality
Office of Environmental Services
Permit Support Services Division
PO Box 4313
Baton Rouge, LA 70821-4313
PHONE (225) 219-3277
FAX (225) 325-8157**

PUBLIC NOTICE
LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY (LDEQ)
THERMALDYNE, LLC, THERMALDYNE PORT ALLEN FACILITY
DRAFT SITE SPECIFIC FEEDSTOCK VARIANCE FROM CLASSIFICATION AS A SOLID WASTE

The LDEQ, Office of Environmental Services, is accepting written comments on the draft "site specific feedstock variance from classification as a solid waste" for Thermaldyne, LLC, 45 Maryeanna Road, Atlanta, Georgia 30342 for the Port Allen Facility. **The facility is located at 2325 North Line Road, Port Allen, West Baton Rouge Parish.**

Thermaldyne, LLC, is seeking a site-specific variance from the classification as a solid waste in accordance with LAC 33:V.105.O.1.b and 105.O.2.b. .

Thermaldyne proposes to utilize a centrifuge process and/or a thermal desorption process to reclaim the oil from Oil Bearing Hazardous Secondary Materials (OBHSM). Centrifuges will be used to initially process low-solids OBHSM, which typically consists of mostly liquid (i.e., 70 – 90%). Thermal desorption will be used to process high-solids OBHSM, which consists of mostly solids (i.e., 40 – 70%), with the remaining volume consisting of oil and water.

This site specific feedstock variance was processed as an expedited action in accordance with LAC 33:I.Chapter 18.

Comments and requests for a public hearing or notification of the final decision can be submitted via personal delivery, U.S. mail, email, or fax. **Comments and requests for public hearings must be received by 4:30 pm CST, Monday, May 21, 2018.** Delivery may be made to the drop-box at 602 N. 5th St., Baton Rouge, LA 70802. U.S. Mail may be sent to LDEQ, Public Participation Group, P.O. Box 4313, Baton Rouge, LA 70821-4313. Emails may be submitted to DEQ.PUBLICNOTICES@LA.GOV and faxes sent to (225) 219-3309.

Please see additional instructions for comment submission, hand delivery and information regarding electronic submission at <http://www.deq.louisiana.gov/page/the-public-participation-group> or call (225) 219-3276.

If LDEQ finds a significant degree of public interest, a public hearing will be held. LDEQ will send notification of the final decision to the applicant and to each person who has submitted written comments or a written request for notification of the final decision.

The draft site specific feedstock variance from classification as a solid waste application and related documents are available for review at the LDEQ, Public Records Center, 602 North 5th Street, Baton Rouge, LA. Viewing hours are from 8:00 a.m. to 4:30 p.m., Monday through Friday (except holidays). **The available information can also be accessed electronically on the Electronic Document Management System (EDMS) on the DEQ public website at www.deq.louisiana.gov.**

An additional copy may be reviewed at the West Baton Rouge Library, 830 North Alexander Avenue, Port Allen, Louisiana 70767.

Inquiries or requests for additional information regarding this draft action should be directed to Nora Lane, LDEQ, Waste Permits Division, P.O. Box 4313, Baton Rouge, LA 70821-4313, phone (225) 219-3422.

Persons wishing to be included on the LDEQ permit public notice mailing list or for other public participation related questions should contact the Public Participation Group in writing at LDEQ, P.O. Box 4313, Baton Rouge, LA 70821-4313, by email at DEQ.PUBLICNOTICES@LA.GOV or contact the LDEQ Customer Service Center at (225) 219-LDEQ (219-5337).

Public notices including electronic access to the draft decision and associated information can be viewed on the LDEQ permits public webpage at <http://www.deq.louisiana.gov/public-notices> and general information related to the public participation in permitting activities can be viewed at <http://www.deq.louisiana.gov/page/the-public-participation-group>.

Alternatively, individuals may elect to receive the permit public notices via email by subscribing to the LDEQ permits public notice List Server at http://louisiana.gov/Services/Email_Notifications_DEQ_PN/.

All correspondence should specify AI Number 198467, EPA ID Number LAR 000 101 236, and Activity Number PER20170004.

Scheduled Publication Date: April 19, 2018

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05/05/17

ED_002099_0000453-00003

JOHN BEL EDWARDS
GOVERNOR



CHUCK CARR BROWN, PH.D.
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
ENVIRONMENTAL SERVICES

Agency Interest No.: 198467
EPA ID No. : LAR 000 101 236
TEMPO Activity No.: PER20170004

Mr. Ricky Cates
Thermaldyne, LLC
45 Maryeanna
Atlanta, Georgia 30342

RE: Draft Proposed Site Specific Feedstock Variance from the Classification as a Solid Waste for Oil Bearing Hazardous Secondary Materials (LAC 33:V.105.O.1.b and 105.O.2.b.)
Thermaldyne, LLC
2325 North Line Road
Port Allen, West Baton Rouge Parish, Louisiana

Dear Mr. Cates:

The Waste Permits Division has received your submittal dated December 1, 2017, and subsequent information dated February 14, and 23, 2018, requesting a feedstock variance from the classification as a solid waste for Oil Bearing Hazardous Secondary Materials (OBHSM) generated at petroleum refineries. The variance will cover the OBHSM from the point of generation at the generating refinery to the Thermaldyne facility. The recovered crude oil will not need further reclamation and will be re-inserted directly into refinery production processes.

Attached is a copy of the proposed draft decision document for the site-specific variance and additional documentation, which will be made available during a thirty (30) day comment period. A final decision document will be prepared after the end of the public comment period.

Please reference your Agency Interest No.: 198467, EPA ID No.: LAR 000 101 236, and Permit Activity No.: (PER20170004) on all future correspondence pertaining to this matter. If you have any questions, please contact Ms. Nora Lane (general questions) at (225) 219-3422 or Ms. Sarah Baquet (engineering questions) at (225) 219-3276.

Sincerely,

A handwritten signature in black ink, appearing to read "Elliott B. Vega".

Elliott B. Vega
Assistant Secretary
Office of Environmental Services

nl

Attachment

SITE SPECIFIC FEEDSTOCK VARIANCE

**Thermaldyne, LLC
2325 North Line Road
Port Allen, Louisiana 70767**

West Baton Rouge Parish

**Agency Interest No.: 198467
EPA ID No. : LAR 000 101 236
TEMPO Activity No.: PER20170004**

FACT SHEET

**FACT SHEET
DRAFT DECISION**

SITE-SPECIFIC FEEDSTOCK VARIANCE

PREPARED FOR

**Thermaldyne, LLC
2325 North Line Road
Port Allen, Louisiana 70767**

West Baton Rouge Parish

**Agency Interest No.: 198467
EPA ID No. : LAR 000 101 236
TEMPO Activity No.: PER20170004**

I. INTRODUCTION

This fact sheet has been developed in accordance with the Louisiana Administrative Code (LAC) 33:V.703.D and briefly sets forth principal and significant facts, legal, methodological and policy requirements of the proposed draft site-specific variance for Thermaldyne, LLC (EPA ID Number LAR 000 101 236, Agency Interest Number 198467), located in Port Allen, West Baton Rouge Parish, Louisiana.

Thermaldyne is seeking a site-specific variance from the classification as a solid waste in accordance with LAC 33:V.105.O.1.b and 105.O.2.b. Thermaldyne proposes to utilize a centrifuge process and/or a thermal desorption process to reclaim the oil from Oil Bearing Hazardous Secondary Materials (OBHSM). Centrifuges will be used to initially process low-solids OBHSM, which typically consists of mostly liquid (i.e., 70 – 90%). Thermal desorption will be used to process high-solids OBHSM, which consists of mostly solids (i.e., 40 – 70%), with the remaining volume consisting of oil and water.

The Louisiana Department of Environmental Quality (LDEQ), under the authority granted by the Louisiana Environmental Quality Act, in particular La. R.S. 30:2014; by the Executive Reorganization Act, in particular La. R.S. 36:234; and by Section 105 of Title 33, Part V of the Louisiana Administrative Code (LAC 33:V.105), particularly LAC 33:V.105.O.1.b and 105.O.2.b, has prepared this proposed draft site-specific variance. The Administrative Authority for this variance is the Secretary of the LDEQ, or his/her designee.

On December 1, 2017, Thermaldyne submitted a feedstock variance request from the classification as a solid waste for the reclamation of OBHSM. These materials, if discarded, may be identified with one or more of the following hazardous waste codes: F037, F038, K048, K049, K050, K051, K169, K170, K171, K172, and/or other hazardous waste characteristic codes.. Pursuant to LAC 33:V.105.O.1.b and 105.O.2.b, the material, once reclaimed, will be re-inserted and used as petroleum refinery feedstock in the original production process. The submittal has been reviewed by the LDEQ Waste Permits Division and a draft decision document for a site-specific variance for this activity has been prepared for public notice and comment.

II. THE VARIANCE PROCESS

The purpose of this fact sheet is to initiate and document the variance decision process. The LDEQ Office of Environmental Services-Waste Permits Division has prepared this fact sheet to accompany the draft site-specific variance. This fact sheet and draft site-specific variance sets forth all applicable conditions with which the facility must comply.

The variance process will afford the LDEQ, interested citizens, and other agencies the opportunity to evaluate the information presented in the application for the site-specific variance from the classification of a solid waste, and the draft variance, which contains the regulatory requirements that the applicant is required to comply with for the term of the feedstock variance.

The public is given a minimum of thirty (30) days to review and comment on the draft site-specific variance. The Administrative Authority, prior to making a decision or taking any final action on the draft site-specific variance, will consider all significant comments.

A. DRAFT SITE-SPECIFIC VARIANCE

The Waste Permits Division reviewed the site-specific feedstock variance request and other pertinent technical information, and prepared a draft site-specific variance that contains the language pertaining to the management of the OBHSM at the listed facility.

This draft site-specific variance is not the final decision of the Administrative Authority. The final decision of the Administrative Authority shall be to issue or deny the site-specific variance.

B. PUBLIC COMMENT PERIOD

LAC 33:V.105.K.2.b requires that the public be given thirty (30) days to comment on the draft site-specific variance decision.

The specific dates for the opening and closing of the public comment period are contained in the public notice that was issued for this particular permitting action. To ensure consideration of your comment, any person interested in commenting on the draft site-specific variance must do so within the thirty (30) day comment period.

Public notice of the draft site-specific variance shall be published in specified newspapers and/or announced on the designated radio station.

A public hearing for the draft site-specific variance may be held if requested in writing or at the Administrative Authority's discretion. The date, location and time would be provided in separate public notice. LDEQ will hold the hearing at least thirty (30) days after the date on which the public notice is given.

C. LOCATIONS OF AVAILABLE INFORMATION

The administrative record, including all supporting documents is on file at the LDEQ Public Records Center, 602 North 5th Street, Baton Rouge, Louisiana. These documents may be inspected (except for proprietary information granted "confidential" by the Department) and copied (at \$0.25 per copy page) at any time between the hours of 8:00 to 4:30 p.m., Monday through Friday (except holidays). The record may also be viewed electronically at <http://edms.deq.louisiana.gov/app/doc/querydef.aspx> under AI 198467.

In addition, a copy of the draft site-specific variance, fact sheet, and supporting documents are available for review at the **West Baton Rouge Library located at 830 North Alexander Avenue, Port Allen, Louisiana.**

D. WRITTEN COMMENT SUBMISSION

Interested persons may submit written comments on the draft feedstock variance to the Administrative Authority, at the address listed below, no later than the closing date of the comment period. All comments should include:

1. the name and address of the commenter,
2. a concise statement of the exact basis for any comment and supporting relevant facts upon which the comment is based,
3. identification of the facility commented on (the EPA Identification Number and AI number), and
4. supporting relevant facts upon which the comments are based.

All comments and/or further requests for information (including copies of this decision, fact sheet, and any requests by public interest groups or individuals who would like to be included in the mailing list) should be made in writing to:

Ms. Tommie Milam
Louisiana Department of Environmental Quality
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313
(225) 219-3276 or fax (225) 219-3309

Any technical questions regarding this draft site specific feed-stock variance should be addressed to:

Ms. Nora Lane
Louisiana Department of Environmental Quality
Office of Environmental Services
Waste Permits Division
Post Office Box 4313
Baton Rouge, LA 70821-4313
(225) 219-3422 or fax (225) 219-3158

II. DESCRIPTION OF OVERALL SITE

The reclamation facility, owned and operated by Thermaldyne, LLC, is located at 2325 North Line Road, Port Allen, Louisiana 70767. The area is zoned *industrial, moderate*. There is no residential housing adjacent to the site.

Approximately seven acres of the 28.2-acre site will be used to reclaim OBHSM. The proposed processing area of the site is surrounded by a buffer zone exceeding 200-feet and the entire site is fenced and secure.

Primary access to the facility is from Interstate I-10, exiting south and proceeding approximately one mile on Louisiana Highway 1, then proceeding west on North Line Road. North Line Road may only be accessed from Louisiana Highway 1.

III. RECLAMATION PROCESSING

All steps in the reclamation of OBHSM will occur upon concrete pads with secondary containment to prevent impacts to the soil and groundwater. A synthetic liner will be installed below the concrete in all process areas. The receiving area for the OBHSM will be located inside an enclosed building and, therefore, is not subject to storm water run-on/runoff. The entire perimeter of the OBHSM-handling area will have an 8-inch curb to prevent surface drainage from flowing through the operating areas of the facility.

The facility reclaims oil from OBHSM by utilizing a 3-phase centrifuge process and an indirect thermal desorption (ITD) process. The OBHSM consists of sludges, byproducts, spent or other oil-bearing materials generated at petroleum refineries. The oil that is reclaimed is returned to petroleum refineries for reinsertion into the refining process.

Residuals generated during the reclamation process (including wastewater and solids) will be managed in accordance with applicable regulations and in a manner protective of human health and the environment. The facility will operate in compliance with its minor source Air Permit No. 3120-00116-00.

Thermalayne will collect all wastewater, i.e., water not recycled into the reclamation process in containers (e.g., frac tanks) prior to treatment in an onsite wastewater treatment system. Treated wastewater will be discharged in accordance with Thermalayne's LPDES permit. Wastewater that is not recycled in the process or treated in the onsite system will be collected in containers and shipped offsite for treatment or disposal at a permitted facility in accordance with applicable regulations.

Residual solids will be containerized and transferred offsite for treatment and/or disposal in accordance with applicable regulations. None of the residual solids will be disposed on site.

Financial Assurance

Thermalayne has committed to providing the financial assurance described in LAC 33:V.3707 and 3715. Thermalayne will provide financial assurance no later than 270 days after start-up of the reclamation facility. Thermalayne has prepared a detailed written estimate, in current dollars, of the cost of disposing any OBHSM as listed hazardous waste, and the potential cost of closing the facility as a treatment, storage, and disposal facility. The cost estimate is incorporated by Reference in Table 1 of the Feedstock Variance (and may be reviewed at EDMS Doc. # 11006091).

IV. REVIEW OF REGULATORY CRITERIA

LAC 33:V.105.O.2.b.i-vii and LAC 33:V.105.R sets forth the criteria that LDEQ uses to evaluate requests for a variance from classifying as a solid waste those materials that are reclaimed and then reused as feedstock within the original primary production process in which the materials were generated. LDEQ has reviewed each of the criteria and determined that the reclamation of OBHSM at the Thermalayne facility meets or exceeds the requirements of LAC 33:V.105.O.2.b.i-vii. and LAC 33:V.105.R.

Please see EDMS Document # 10984054 for a complete copy of the detailed description of the criteria and responses to LAC 33:V.105.O.2.b and LAC 33:V.105.R.

**DRAFT
SIGNATURE PAGE
AND
SITE SPECIFIC
FEEDSTOCK VARIANCE
CONDITIONS**

**LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
VARIANCE FROM CLASSIFICATION AS SOLID WASTE**

Facility Name : Thermaldyne, LLC

EPA ID #: LAR 000 101 236

Agency Interest #: 198467

TEMPO Activity #: PER20170004

Type of Variance: Feedstock Variance (LAC 33:V.105.O.1.b), materials that are reclaimed and then re-used within the original production process in which they were generated.

Facility Location: 2325 North Line Road, Port Allen, Louisiana, West Baton Rouge Parish

This feedstock variance from classification as solid waste (feedstock variance) is issued by the Louisiana Department of Environmental Quality (LDEQ) under the authority of the Louisiana Hazardous Waste Control Law La. R.S. 30:2171 et seq., and the regulations adopted there under, (LAC 33:V.105.O.1.b and LAC 33:V.105.O.2.b), to **Thermaldyne, LLC**, to reclaim oil bearing hazardous secondary materials (OBHSM), and return the recovered oil back to petroleum refinery production. This reclamation activity is authorized to be conducted at the facility located at 2325 North Line Road, Port Allen, Louisiana, West Baton Rouge Parish at latitude 30° 26' 04" N and longitude 91° 13' 56" W.

For the purposes of this feedstock variance, the "Administrative Authority" shall be the Secretary of the Louisiana Department of Environmental Quality or his/her designee.

Thermaldyne must comply with all terms and conditions of this feedstock variance which consists of the conditions contained herein and the applicable regulations contained in the Louisiana Administrative Code, Title 33, Part V, Subpart I (LAC 33:V.Subpart I.) Applicable regulations are those which are in effect on the effective date of issuance of this feedstock variance. This variance is based on the assumption that the information provided to LDEQ by the applicant is accurate. Any inaccuracies found in the submitted information may be grounds for the termination, or modification, of this feedstock variance.

Thermaldyne shall inform the LDEQ by written notification in a timely manner, of any deviation from or changes to the information in the variance request which would affect its ability to comply with applicable regulatory requirements or variance conditions. This variance may be suspended, modified, revoked, reissued or terminated for cause.

The granting of this variance does not constitute a defense against any past or future non-compliance with state or federal regulations. Additionally, the granting of this variance does not constitute Department approval for any activity or process that may require a permit.

In accordance with LAC 33:V.105.Q, the Administrative Authority may issue a variance from classification as solid waste for a duration not to exceed a maximum term of ten (10) years.

ISSUANCE DATE: _____

EXPIRATION DATE: _____

Elliott B. Vega, Assistant Secretary
Louisiana Department of Environmental Quality

Date

**SITE SPECIFIC FEEDSTOCK VARIANCE
(LAC 33:V.105.O.2.b.i-vii)**

OIL BEARING HAZARDOUS SECONDARY MATERIALS (OBHSM)

Thermaladyne, LLC
2325 North Line Road,
Port Allen, Louisiana 70767

West Baton Rouge Parish

Agency Interest No.: 198467
EPA ID No. : LAR000101236
TEMPO Activity No.: PER20170004

I. MATERIALS SUBJECT TO THIS VARIANCE:

Oil Bearing Hazardous Secondary Materials (OBHSM) generated in the petroleum refining industry, as described below, are not solid wastes so long as the conditions of this variance are met:

- Dissolved air float (DAF)
- Slop oil emulsion solids
- Heat exchanger bundle cleaning sludge
- API separator sludge
- Tank bottoms (leaded)
- Crude oil tank sediment
- Clarified slurry oil tank sediment and/or in-line filter/separation solids
- Primary refinery oil/water/solids separation sludge
- Secondary (emulsified) oil/water/solids separation sludge
- Spent hydro treating catalyst
- Spent hydro refining catalyst
- Any other oil-containing secondary material (e.g., spent material, by-product, or sludge)

II. DISPOSAL OR DISCARD OF OBHSM SUBJECT TO THIS VARIANCE:

If at any time the OBHSM listed in Condition I are sent for disposal prior to final reclamation, the material shall regain the hazardous waste listings and be properly disposed of at a permitted disposal facility in accordance with the Hazardous Waste Regulations. If discarded, these materials will carry the following hazardous waste codes, as applicable: F037, F038, K048, K049, K050, K051, K169, K170, K171, K172, and/or other hazardous waste characteristic codes.

III. FEEDSTOCK VARIANCE CONDITIONS

- A. The management and transport of the OBHSM shall not: 1) cause a discharge or imminent threat of a discharge into or adjacent to the waters of the state 2) create and maintain a nuisance or 3) violate any applicable provisions of the Louisiana Administrative Code and the U.S. and Louisiana Department of Transportation laws and regulations.
- B. Containment. All OBHSM must be contained in accordance with LAC 33:V.109.contained and managed in accordance with LAC 33:V.105.R.4 and R.7.
- C. Recordkeeping. All records of how the OBHSM are reclaimed and oil returned to petroleum refineries must be maintained on site and made available, within a reasonable time, for review upon request by the administrative authority. These records must be maintained for no less than three years after operations have ceased.

**SITE SPECIFIC FEEDSTOCK VARIANCE
(LAC 33:V.105.O.2.b.i-vii)**

- D. Generation and Disposal of Residuals. The operator must make a hazardous waste determination on any residuals generated from the reclamation of the OBHSM. The residuals are a point of new generation of material. Upon intent to be discard the residuals must be properly characterized and managed in accordance with Louisiana Solid Waste and/or Hazardous Waste Regulations, as applicable.
- E. Financial Responsibility: Financial assurance voluntarily committed to by the applicant shall be finalized and supplied to the LDEQ no later than 270 days after start-up of the reclamation activities.
- F. Legitimacy. All reclamation activities must comply with LAC 33:V.105.R.1-4 (legitimate recycling requirements).
- G. Reporting. The operator must comply with all criteria in LAC 33:V.105.O.2.b. A notification must be sent by March 1 of every even-numbered year to the administrative authority using the hazardous waste activity form HW-1 which contains the notification information included in LAC 33:V.105.Q.1.a-i.
- H. Tracking/Transportation: The materials subject to this feedstock variance are excluded from classification of solid waste, from the point of generation, transportation to the Thermaldyne facility, and reclamation conducted at the Thermaldyne facility. Feedstock materials are not required to be transported and tracked using a hazardous waste manifest, but must be transported under tracking documentation that correctly identifies the materials and the relationship between the generating facility and the receiving facility. The recovered crude oil stored on-site prior to transportation back to refinery production processes does not require further reclamation and, therefore, is not a solid waste.
- I. Processing. All processing shall be in conformance with the Operation Description and Material Acceptance Plan (EDMS Doc. # 11006089) which are incorporated by reference (See Table 1). Upon arrival at Thermaldyne, the OBHSM must be processed immediately or when a sufficient quantity (approximately 20 truck loads) has been received to ensure efficient processing. The reclaimed oil will be then returned to petroleum refineries upon completion of a batch process, the lesser of a maximum of 90 days from the receipt of the OBHSM, or when a sufficient quantity has been generated.

IV. ATTACHMENTS AND DOCUMENTS INCORPORATED BY REFERENCE

All attachments and documents required by this variance (Table 1), including all plans and schedules, are incorporated into this variance by reference and are enforceable requirements. When applicable, the owner/operator must determine if any change will require a modification to the variance whenever there is a variation in any attachment.

The applicant shall maintain, at the facility, the all variance documents and amendments, revisions, and modifications to these documents. Documents may be maintained electronically. If any variance language conflicts with the regulations, the regulations shall prevail. All documents maintained at the facility shall be made readily available for inspection upon request by the administrative authority.

Table 1: FACILITY SPECIFIC DOCUMENTS INCORPORATED BY REFERENCE, AND MAINTAINED AT THE FACILITY

Name of Plan/Document	Date	EDMS Document ID#
HW-1 Form & HSM Addendum	2/14/2018	10984054
Facility Operation Description	2/23/2018	11006089
Material Acceptance Plan	2/23/2018	11006089
Contingency Plan	2/23/2018	11006090
Closure Plan and Cost Estimate	2/23/2018	11006091
Feedstock Variance Application	12/1/2017	10886279
Response to NOD #1	2/14/2018	10984054

**Certified Mail <<Certified Number>>
Return Receipt Requested**

Agency Interest No.: 198467
TEMPO Activity No.: PER20160001

Mr. Richard A. Cates
Thermalayne LLC – Port Allen Facility
8034 Jefferson Hwy.
Baton Rouge, Louisiana 70809

Re: Issuance of Standard Permit
Thermalayne LLC – Port Allen Facility
West Baton Rouge Parish

Dear Mr. Cates:

Under the authority of the Louisiana Environmental Quality Act (La. R.S. 30:2001 et seq.), I hereby issue the enclosed Type I-A Processor Standard Permit for the above referenced facility.

Upon construction of any required measures, a registered engineer licensed in the state of Louisiana must certify that the facility has been constructed in accordance with the representations made in the permit application and all conditions specified in this Standard Permit. These activities shall be completed as specified in the implementation plan or within a reasonable timeframe as determined by the Department. If construction measures are not required, the engineer's certification shall be sent to the Department within thirty (30) days of the issuance of this Standard Permit stating that all conditions of the permit have been met.

Please note, in accordance with LAC 33:VII.407.C.3 and 4, the Waste Permits Division shall initiate a start-up inspection within fifteen (15) working days of receipt of the certification and shall issue an approval of construction or a written Notice of Deficiency within fifteen (15) working days following the start-up inspection. Please be advised, an approval of construction must be obtained from the Department prior to the commencement of operations of newly permitted facilities or of new features constructed as part of the facility upgrade.

Please note the following permit conditions required:

The receipt of hazardous waste is strictly prohibited and shall be prevented. In accordance with LAC 33:VII.717.G.3.a, the permit holder shall review and maintain the hazardous waste determination performed by the generator in accordance with LAC 33:V.1103 for all solid waste prior to acceptance. Every year thereafter, the permit holder shall require the generator to submit either a written certification that the waste being sent to the permit holder remains unchanged or a new waste characterization. All characterizations and certification records shall be maintained on-site for a period of three years.

In accordance with LAC 33:V.105.D.1.1.i, oil-bearing secondary materials that are generated at a petroleum refinery (SIC code 2911) and are inserted into the petroleum refining process (SIC code 2911) are not solid wastes for the purposes of the hazardous waste regulations. However, residuals generated from processing or recycling materials excluded under this Subsection, where such materials as generated would have otherwise met a listing under LAC 33:V.Chapter 49, are designated as F037 listed wastes when disposed of or intended for disposal. The facility shall store and dispose of these wastes in accordance with all applicable hazardous waste regulations.

A copy of the water permit, as referenced in the solid waste permit application, shall be provided to the Waste Permits Division at least 30 days before the date on which solid waste is first received for processing.

This permit action shall become final and not subject to further administrative review unless, no later than thirty (30) days after receipt of this document, a written request for a hearing is filed. Provisions of this permit may be appealed in writing pursuant to La. R.S. 30:2024 (A) within thirty (30) days from receipt of this permit.

Only those provisions specifically appealed will be suspended by a request for a hearing, unless the Secretary elects to suspend other provisions as well. A request must be directed to the following:

Louisiana Department of Environmental Quality
Office of the Secretary
Attention: Hearing Clerk, Legal Division
Post Office Box 4302
Baton Rouge, Louisiana 70821-4302

A copy of this request should be sent to the Waste Permits Division.

In accordance with LAC 33:VII.513.I, the administrative authority shall publish a notice of the final permit decision no later than twenty (20) days following the issuance of the final permit decision. This notice shall be published on the department's internet site, in the public notices section.

Please be advised that pursuant to provisions of the Environmental Quality Act and the Administrative Procedure Act, the Department may initiate review of a permit (including authorization under general permits; variances and other authorizations) during its term. However, before the Department takes any action to modify, suspend, or revoke a permit, the Department shall, in accordance with applicable statutes and regulations, notify the permittee by mail of the facts or conduct that warrant the intended action and provide the permittee with the opportunity to demonstrate compliance with all lawful requirements for the retention of the effective permit.

Please reference your Agency Interest Number (198467) and Permit Activity Number (PER20160001) on all future correspondence pertaining to this matter. If you have any questions, please contact Ann Finney of the Waste Permits Division at (225) 219-3060.

Sincerely,

Elliott B. Vega
Assistant Secretary

af

c: Kyle B. Beall, Attorney at Law

att: Attachment 1 – List of Facility Documents Incorporated in the Permit by Reference
Solid Waste Standard Permit

Attachment 2 – Fact Sheet Solid Waste Standard Permit

Attachment 3 – Solid Waste Tempo Permit

ATTACHMENT 1
LIST OF FACILITY DOCUMENTS INCORPORATED
IN THE PERMIT BY REFERENCE
AI# 198467

EDMS DOCUMENT ID	EDMS DATE	EDMS DESCRIPTION	EDMS PAGES	ATT. #	ATTACHMENT NAME
10360465	10/3/2016	Additional Information for Permit Application	2-13	N/A	Solid Waste Permit Application
10175015	4/28/2016	Final Copy of Permit Application	18-19	1	Proof of Publication of Notice to Submit a Solid Waste Permit Application
10175015	4/28/2016	Final Copy of Permit Application	21-26	2	Copy of Lease
10175015	4/28/2016	Final Copy of Permit Application	28	3	Zoning Documentation
10175015	4/28/2016	Final Copy of Permit Application	30-31	4	Certificate of Registration and/or Certificate of Good Standing from the Secretary of State
10175015	4/28/2016	Final Copy of Permit Application	33-51	7	Master Plan to Include: Scaled Map of Location of Pipelines, Power Lines, and Right-of-Ways; Figure(s) Showing Property Lines, Original Contours, Buildings, Units of the Facility, Drainage, Ditches, and Roads; and Figure of Buffer Zone
10175015	4/28/2016	Final Copy of Permit Application	53-54	8	Traffic Flow Letter
10175015	4/28/2016	Final Copy of Permit Application	56-57	9	Aerial Photograph of Land Use within One-mile Radius
10175015	4/28/2016	Final Copy of Permit Application	59-80	11	Letters from State and Federal Agencies Regarding Environmentally Sensitive Sites
10175015	4/28/2016	Final Copy of Permit Application	82	13	Scaled Map Showing Location of Shot Holes, Seismic Lines, and Wells within 2,000 Feet
10175015	4/28/2016	Final Copy of Permit Application	84	14	Scaled Map of all Water Wells within One Mile
10175015	4/28/2016	Final Copy of Permit Application	86-87	15	Scaled Map of all Recorded Faults within One Mile
10175015	4/28/2016	Final Copy of Permit Application	89-161	20	Copy of Emergency Response Plan and State Fire Marshal's Approval of Plan and/or Contingency Plan (If Different than Emergency Response Plan)
10175015	4/28/2016	Final Copy of Permit Application	163-217	22	Description of Facility Runoff Collection System

EDMS DOCUMENT ID	EDMS DATE	EDMS DESCRIPTION	EDMS PAGES	ATT.#	ATTACHMENT NAME
10175015	4/28/2016	Final Copy of Permit Application	219-234	23	Map of Aquifer Recharge Areas and Description of the Measures Planned to Protect Them
10175015	4/28/2016	Final Copy of Permit Application	236-237	24	Map of the 100-Year Floodplain
10175015	4/28/2016	Final Copy of Permit Application	239	25	Plan-View Drawings Showing Original Contours, Proposed Elevations, Proposed Final Contours, Slopes, Levees, and Other Pertinent Features
10175015	4/28/2016	Final Copy of Permit Application	241-282	27	Description of Liner System
10175015	4/28/2016	Final Copy of Permit Application	284-317	28	Quality Assurance/Quality Control Plan for Liners
10175015	4/28/2016	Final Copy of Permit Application	319-367	35	Comprehensive Operation Plan
10175015	4/28/2016	Final Copy of Permit Application	369-373	36	Description of Methods to Handle Process Waters
10175015	4/28/2016	Final Copy of Permit Application	375-376	40	Implementation Plan
10175015	4/28/2016	Final Copy of Permit Application	378-383	41	Closure Plan and Drawing of Final Contours (if Applicable)
10175015	4/28/2016	Final Copy of Permit Application	385	42	Post-Closure Plan
10175015	4/28/2016	Final Copy of Permit Application	388-403	44	Demonstration of Natural Soil Permeability or Design for Surfacing Natural Soils
10175015	4/28/2016	Final Copy of Permit Application	405-438	45	Boring Logs for Boreholes, Monitoring Wells, and Piezometers
10175015	4/28/2016	Final Copy of Permit Application	440	46	Plan-view Map of Existing Topographic Contours and Locations of all Borings, Monitoring Wells, and Piezometers
10175015	4/28/2016	Final Copy of Permit Application	442-488	57	Environmental Assessment Statement (IT Questions)
10360465	10/3/2016	Additional Information for Permit Application	14-17	58	Waste Acceptance Plan
10175015	4/28/2016	Final Copy of Permit Application	565-567	59	Facility Administrative Procedures

**ATTACHMENT 2
FACT SHEET**

FOR THE PROPOSED PERMIT OF A TYPE I-A PROCESSING FACILITY

PREPARED FOR

Thermaladyne LLC - Port Allen Facility

Agency Interest # 198467
PER20160001

2325 North Line Rd
Port Allen, Louisiana, 70767
West Baton Rouge Parish

I. INTRODUCTION

Thermaladyne LLC - Port Allen Facility (Thermaladyne) proposes to operate a new Type I-A processing facility. The site is located in Section 95 and 96, Township 7 South, and Range 12 East in West Baton Rouge Parish.

A. FACILITY DESCRIPTION

Thermaladyne proposes to operate a Type I-A processing facility that will process oil-bearing secondary materials from the production of oil and lubricants from various refineries in Louisiana.

B. TYPE AND QUANTITY OF WASTE

Thermaladyne proposes to process 1,400 wet tons/day of industrial solid waste from generators inside of Louisiana.

C. SUMMARY OF CONDITION JUSTIFICATION

All requirements are based on LAC 33:VII.

Thermaladyne has the following permit conditions:

- The receipt of hazardous waste is strictly prohibited and shall be prevented. In accordance with LAC 33:VII.717.G.3.a, the permit holder shall review and maintain the hazardous waste determination performed by the generator in accordance with LAC 33:V.1103 for all solid waste prior to acceptance. Every year thereafter, the permit holder shall require the generator to submit either a written certification that the waste being sent to the permit holder remains unchanged or a new waste characterization. All characterizations and certification records shall be maintained on-site for a period of three years.

- In accordance with LAC 33:V.105.D.1.l.i, oil-bearing secondary materials that are generated at a petroleum refinery (SIC code 2911) and are inserted into the petroleum refining process (SIC code 2911) are not solid wastes for the purposes of the hazardous waste regulations. However, residuals generated from processing or recycling materials excluded under this Subsection, where such materials as generated would have otherwise met a listing under LAC 33:V.Chapter 49, are designated as F037 listed wastes when disposed of or intended for disposal. The facility shall store and dispose of these wastes in accordance with all applicable hazardous waste regulations.
- A copy of the water permit, as referenced in the solid waste permit application, shall be provided to the Waste Permits Division at least 30 days before the date on which solid waste is first received for processing.

The LDEQ has determined that Thermaladyne is required to fulfill these conditions.

D. REQUESTED VARIANCES AND/OR ALTERNATIVES

No variances and/or alternatives.

II. PROCEDURES FOR REACHING A FINAL DECISION

Thermaladyne submitted a solid waste permit application dated January 8, 2016.¹ The permit application was deemed administratively complete on January 19, 2016.² Additional information dated January 25, 2016, was received.³ The administratively complete letter was not received by the applicant so was resent on February 4, 2016.⁴ A request for additional information was issued on February 5, 2016.⁵ A request for a sixty (60) day extension to submit the request for additional information was received on February 18, 2016.⁶ The request for a sixty (60) day extension to submit the request for additional information was approved on March 2, 2016.⁷ The requested additional information dated March 4, 2016, was received.⁸ A request for additional information was issued on March 16, 2016.⁹ The requested additional information dated April 15, 2016, was received.¹⁰ The permit application was deemed technically complete by the LDEQ on May 17, 2016.¹¹

¹ See EDMS Document No. 10049443.

² See EDMS Document No. 10052922.

³ See EDMS Document No. 10067307.

⁴ See EDMS Document No. 10074437.

⁵ See EDMS Document No. 10078276.

⁶ See EDMS Document No. 10095274.

⁷ See EDMS Document No. 10105211.

⁸ See EDMS Document No. 10109172.

⁹ See EDMS Document No. 10118047.

¹⁰ See EDMS Document No. 10158805.

¹¹ See EDMS Document No. 10195209.

The public was given thirty (30) days to review and comment on the technically complete permit application. The comment period began on May 26, 2016 and ended on June 30, 2016. Public notice was published in *The Advocate* of Baton Rouge, LA, and the *West Side Journal* of Port Allen, LA,¹² and mailed to those persons on the facility's mailing list. Copies of the technically complete application were placed on public review at the West Baton Rouge Parish Library - Headquarters, City of Port Allen Mayor's Office, and the LDEQ Public Records Center. Thermalayne submitted three (3) comments requesting changes to the draft permit. Two (2) other written comments were received in response to the public notice of the technically complete permit application. Changes were made to the draft permit and associated documents. Additional information dated October 3, 2016, was received.¹³

A. TECHNICALLY COMPLETE PERMIT APPLICATION

The Waste Permits Division has reviewed the permit application and other pertinent technical information, and has determined it to be technically complete and ready for public notice. At the end of the public comment period the Administrative Authority shall issue a standard permit or shall issue a standard permit application denial, including reasons for the denial in accordance with LAC 33:VII.513.H.1.

B. PUBLIC COMMENT PERIOD

LAC 33:VII.513.G.3 requires that the public be given the timeframe specified in the public notice to comment on a technically complete permit application.

The specific dates for the opening and closing of the public comment period are contained in the public notice that was issued for this particular permitting action. Any person interested in commenting on the technically complete permit application must do so within the allotted comment period.

A public hearing for the technically complete permit application may be held if there is significant public interest. If the public hearing is held, the date, location, and time will be provided in the public notice.

Public notice of the technically complete permit application shall be published in a major local newspaper of general circulation in West Baton Rouge Parish and in the official journal of the state.

C. LOCATION OF AVAILABLE INFORMATION

The administrative record, including all supporting documents, is on file at the LDEQ Public Records Center, Room 1-127, 602 North 5th Street, Baton Rouge, Louisiana. These documents may be inspected and copied (at \$0.25 per copy page) at any time between the hours of 8:00 to 4:30 p.m., Monday through Friday (except holidays).

¹² See EDMS Document Nos. 10201502 and 10240619.

¹³ See EDMS Document No. 10360465.

In addition, a copy of the technically complete permit application, fact sheet, and supporting documents are available for review at the location(s) specified in the public notice that was issued for this particular permitting action, and can be accessed electronically on the Electronic Document Management System (EDMS) on the LDEQ Public Website at www.deq.louisiana.gov.

D. WRITTEN COMMENT SUBMISSION

Interested persons may submit written comments on the technically complete permit application to the Administrative Authority, at the address listed below, by the closing date of the comment period. All comments should include:

1. the name and address of the commenter;
2. a concise statement of the exact basis for any comment and supporting relevant facts upon which the comment is based;
3. identification of the facility commented on (the Permit Number and Agency Interest (AI) number); and
4. supporting relevant facts upon which the comments are based.

All comments, requests for a public hearing, further requests for information and any requests by public interest groups or individuals, should be made in writing to:

Ms. Tommie Milam
Louisiana Department of Environmental Quality
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313
(225) 219-3276 or fax (225) 219-3309

III. FINANCIAL REQUIREMENTS

Currently, Thermaladyne does not have financial assurance in place. As per LAC 33:VII.1303.A.2, Thermaladyne shall submit evidence of financial assurance at least 60 days before the date on which solid waste is received for processing.

IV. ENVIRONMENTAL IMPACT "IT" QUESTIONS

Please see Attachment 57 of the permit application for a copy of the Environmental Impact questions and responses.¹⁴

V. COMPLIANCE HISTORY

¹⁴ See EDMS Document No. 10175015, pgs. 442-445.

Based on a file review, there are no enforcement actions in solid waste within the last four years.

VI. OUTSTANDING FEES

On April 28, 2016, the Financial Services Division confirmed that Thermalayne has no outstanding fees.

VII. LOUISIANA COMPREHENSIVE MASTER PLAN FOR A SUSTAINABLE COAST

In consideration of the Louisiana Comprehensive Master Plan for a Sustainable Coast, the operation of this facility (located in West Baton Rouge Parish) should have no adverse effects on coastal protection and restoration.

ATTACHMENT 3
SOLID WASTE TEMPO PERMIT

Permit No.:
AI No.: 198467



OFFICE OF ENVIRONMENTAL SERVICES

Solid Waste Standard Permit

Pursuant to the Resource Conservation and Recovery Act, as amended (42 U.S.C. 6901 et seq.), and the Louisiana Environmental Quality Act, as amended (La. R. S. 30:2001 et seq.), rules and regulations effective or promulgated under the authority of said Acts, and in reliance on statements and representations heretofore made in the application, a solid waste standard permit is issued authorizing

Thermalayne LLC - Port Allen Facility

Facility Type: Type IA – Processor

Location: 2325 North Line Rd in Port Allen
West Baton Rouge Parish

to process solid waste in accordance with the standards set forth in this permit.

This permit and the authorization to process shall expire ten (10) years from the effective date of the permit.

Issued and effective on _____

Elliott B. Vega
Assistant Secretary

General Information Sheet
AI ID: 198467 Thermalayne LLC - Thermalayne Port Allen Facility
Activity Number: PER20160001
Permit Number:

Alternate Identifiers	Name	User Group	Dates
2212100116	AFS (EPA Air Facility System)	AFS (EPA Air Facility System)	04-25-2016
3120-00116	CDS #	CDS Number	09-21-2015
P-121-13873	SW Processor ID #	Solid Waste Facility No.	02-26-2016
TS-121-13873	SW Transfer Station ID #	Solid Waste Facility No.	02-24-2016

Zone Classification: Industrial

Physical Location: 2325 North Line Rd
Port Allen, LA 70767

Mailing Address: 8034 Jefferson Hwy
Baton Rouge, LA 70809

Location of Front Gate: -91.218336 longitude, 30.490639 latitude

Related People:	Mailing Address	Work Phone	Email	Relationship
Richard Cates	8034 Jefferson Hwy Baton Rouge, LA 70809			Responsible Official for

Related Organizations:	Mailing Address	Work Phone	Relationship
Thermalayne LLC	45 Maryeanna Rd Atlanta, GA 30342	4042008492	Air Billing Party for
Thermalayne LLC	45 Maryeanna Rd Atlanta, GA 30342	4042008492	Emission Inventory Billing Party
Thermalayne LLC	2750 Millerville Rd #2201 Baton Rouge, LA 70816	2293441981	Operates
Thermalayne LLC	2750 Millerville Rd #2201 Baton Rouge, LA 70816	2293441981	Owns
Thermalayne LLC	45 Maryeanna Rd Atlanta, GA 30342	4042008492	Solid Waste Billing Party for

SIC Codes: 2911, Petroleum refining

NAIC Codes: 324110, Petroleum Refineries

Note: This report entitled "General Information" contains a summary of facility-level information contained in LDEQ's TEMPO database for this facility and is not considered a part of the permit. Please review the information contained in this document for accuracy and completeness. If any changes are required or if you have questions regarding this document, please email the Permit Support Services Division @ facupdate@la.gov.

INVENTORIES

AI ID: 198467 - Thermaldyne LLC - Thermaldyne Port Allen
Facility
Activity Number: PER20160001
Permit Number:

Facility Permit Types: New

ARE 0001 Processor - Type IA

Subject Item Inventory:

ID	Description	Capacities			Operating Rates		
		Weekly Max	Units	Average Daily	Units	Max Work Days/Week	Max Operating Hours/Day
SWF 0001	AI - Thermaldyne Port Allen Facility	9800	Wet T/wk	1400	Wet T/day	7	24
ARE 0001	PRO - Processing Area						

SPECIFIC REQUIREMENTS

AI ID: 198467 - Thermaldyne LLC - Thermaldyne Port Allen Facility

Activity Number: PER20160001

Permit Number:

Submittal Requirements:

SWF 0001	Entire Facility	AI	Thermaldyne Port Allen Facility
R-1	LAC 33:VII.525.A		Submit compliance certification: Due annually, by the 1st of October, Submit certification covering the period of July 1 to June 30 immediately preceding the October 1 submittal date. Submit to the Office of Environmental Compliance. Ensure that the certification sets forth the site specific conditions that shall be certified in compliance with the permit. [LAC 33:VII.525.A]
SWF 0001	Entire Facility	AI	Thermaldyne Port Allen Facility
R-2	LAC 33:VII.407.D		Submit written notification to the Office of Environmental Services at least 10 days prior to commencing construction of each additional cell's liner, leak-detection system, leachate-collection system, or monitoring well at a Type I or Type II facility. Submit the date on which construction will begin, in order to allow a representative of the LDEQ the opportunity to witness the construction. Written notification under LAC 33:VII.407.D is not required if the construction notification is included in a report required by LAC 33:VII.527. [LAC 33:VII.407.D]
R-3	LAC 33:VII.315.B LAC 33:VII.503.A.1		Do not store solid waste on-site for greater than one year without prior approval from the Office of Environmental Compliance. Maintain records indicating the time frame during which waste has been stored. Do not allow any solid waste stored on-site to cause a nuisance, health hazard, or detriment to the environment as determined by LDEQ. [LAC 33:VII.503.A.1, LAC 33:VII.315.B]
R-4	LAC 33:VII.509.F		CONDITION: The applicant may be required to obtain additional permits from other local state and federal agencies. A copy of the water permit, as referenced in the solid waste permit application, shall be provided to the Waste Permits Division at least 30 days before the date on which solid waste is first received for processing. [LAC 33:VII.509.F]
R-5	LAC 33:VII.517.D		Commence operation of a modified construction feature or unit of a standard permitted facility after the provisions of LAC 33:VII.407.C are met. [LAC 33:VII.517.D]
R-6	LAC 33:VII.519.B.1.k		The entire site acreage is 28.2 acres. The facility shall not exceed 6.942 acres used for processing. [LAC 33:VII.519.B.1.k]
R-7	LAC 33:VII.519.B.1.n		Off-site waste received by the facility for processing shall not exceed: Industrial 1,400 tons/day and 511,000 tons/year. [LAC 33:VII.519.B.1.n]
R-8	LAC 33:VII.519.B.4.a.iii		Operating hours shall not exceed: 7 days/week and 24 hrs/day. [LAC 33:VII.519.B.4.a.iii]
R-9	LAC 33:VII.519.G		All Electronic Document Management System (EDMS) documents listed in Attachment 1 to the permit cover letter, "List of Facility Documents Incorporated in the Permit by Reference," are incorporated by reference and are an enforceable part of this permit. [LAC 33:VII.519.G]
R-10	LAC 33:VII.525.B		Annual certification per LAC 33:VII.525.A required. Identify each deviation from specific permit conditions that require annual certification occurring during the reporting period, and steps taken by the permit holder to return to permit conditions, as well as steps taken to ensure deviations of a similar type are prevented in the future. [LAC 33:VII.525.B]

SPECIFIC REQUIREMENTS

AI ID: 198467 - Thermalayne LLC - Thermalayne Port Allen Facility

Activity Number: PER20160001

Permit Number:

SWF 0001	Entire Facility	AI	Thermalayne Port Allen Facility
R-11	LAC 33:VII.525.C		Annual certification per LAC 33:VII.525.A required. Ensure that all certification forms contain the following certification of truth, accuracy, and completeness: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision according to a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." Ensure that this certification is signed by a responsible official, as defined in LAC 33:VII.115.A. [LAC 33:VII.525.C]
R-12	LAC 33:VII.525.D		Annual certification per LAC 33:VII.525.A required. Provide and certify the information listed in LAC33:VII.525.D.1 through D.18 annually, and provide the methods used for determining compliance (e.g., monitoring, recordkeeping and reporting, etc.). [LAC 33:VII.525.D]
R-13	LAC 33:VII.527.A		Submit reports according to the schedule in Attachment 40, describing completed and current construction activities at the site from the beginning of the construction period until the construction certification required by LAC 33:VII.407.C is submitted to the Office of Environmental Services. Submit reports to the Office of Environmental Services and the appropriate LDEQ Regional Office. Ensure that these reports include, at a minimum, the information listed in LAC33:VII.527.A.1 through A.8. [LAC 33:VII.527.A]
R-14	LAC 33:VII.529.A.1		Comply with all conditions of this permit except when such noncompliance is authorized in an emergency permit or order. Any permit noncompliance constitutes a violation of the Act and any amendments to the Act, and is grounds for enforcement action, permit suspension, revocation or modification, or denial of a permit renewal application. [LAC 33:VII.529.A.1]
R-15	LAC 33:VII.529.A.2		It shall not be a defense for a permit holder in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of a permit. [LAC 33:VII.529.A.2]
R-16	LAC 33:VII.529.A.3		Take all necessary steps to minimize and/or correct any adverse impact on the environment resulting from noncompliance with a permit. [LAC 33:VII.529.A.3]
R-17	LAC 33:VII.529.A.4		Properly operate and maintain all facilities and systems, which are installed or used to achieve compliance with the conditions of this permit, at all times. Proper operations and maintenance include effective performance, adequate funding, adequate operator staffing and training, and process controls, including appropriate quality assurance procedures in proper operation and maintenance. Operate back-up or auxiliary facilities, or similar systems, only when necessary to achieve compliance with the conditions of a permit. [LAC 33:VII.529.A.4]
R-18	LAC 33:VII.529.A.5		Filing of a request for a permit modification, termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition. [LAC 33:VII.529.A.5]
R-19	LAC 33:VII.529.A.6		This permit does not convey any property rights of any sort, or any exclusive privilege. [LAC 33:VII.529.A.6]
R-20	LAC 33:VII.529.A.7		Furnish, within a reasonable time, any information requested by the LDEQ to determine whether cause exists for modifying, revoking, suspending or terminating an effective permit, or to determine compliance with an effective permit. Furnish, upon request, copies of records required to be kept by this permit. [LAC 33:VII.529.A.7]
R-21	LAC 33:VII.529.A.8		Allow LDEQ, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to take the actions described in LAC 33:VII.529.A.8.a through 8.d. [LAC 33:VII.529.A.8]
R-22	LAC 33:VII.529.A.9		Report any fire, explosion, unplanned sudden or non-sudden release to air, soil, or water which may endanger health or the environment as required by LAC 33:Chapter 39. [LAC 33:VII.529.A.9]
R-23	LAC 33:VII.529.A.10		Annual certification per LAC 33:VII.525.A required. If it is determined that incorrect or incomplete information was submitted in this permit application or in any report to LDEQ, promptly submit such facts or information to the Office of Environmental Services. [LAC 33:VII.529.A.10]
R-24	LAC 33:VII.529.A.11		This permit does not authorize non-compliance with any other federal, state, or local regulation, law, or statute. [LAC 33:VII.529.A.11]
R-25	LAC 33:VII.1303.A.1		Annual certification per LAC 33:VII.525.A required. Establish and maintain financial assurance for closure/post closure . [LAC 33:VII.1303.A.1]

SPECIFIC REQUIREMENTS

AI ID: 198467 - Thermalayne LLC - Thermalayne Port Allen Facility

Activity Number: PER20160001

Permit Number:

SWF 0001	Entire Facility	AI	Thermalayne Port Allen Facility
R-26	LAC 33:VII.1303.A.2		Submit evidence of financial assurance in accordance with LAC 33:VII. Chapter 13 at least 60 days before the date on which solid waste is first received for processing or disposal for closure/post closure care. Ensure that financial assurance documentation is approved by the LDEQ prior to any acceptance of waste. [LAC 33:VII.1303.A.2]
R-27	LAC 33:VII.1303.A.3		Annual certification per LAC 33:VII.525.A required. Submit to the Office of Environmental Services the estimated closure date and the estimated cost of closure and post-closure care in accordance with the procedures specified in LAC 33:VII.1303.A.3.a through A.3.d. [LAC 33:VII.1303.A.3]
R-28	LAC 33:VII.1303.A.3.a		Maintain a detailed written estimate, in current dollars, of the cost of closing the facility in accordance with the requirements in LAC 33:VII.1303. Ensure that the estimate equals the cost of closure at the point in the facility's operating life when the extent and manner of its operation would make closure the most expensive, as indicated by the closure plan, and is based on the cost of hiring a third party to close the facility in accordance with the closure plan. [LAC 33:VII.1303.A.3.a]
R-29	LAC 33:VII.1303.A.3.c		Annual certification per LAC 33:VII.525.A required. Adjust the cost estimates within 30 days after each anniversary of the date on which the first cost estimate was prepared on the basis of either: the inflation factor derived from the Annual Implicit Price Deflator for Gross Domestic Product, as published by the U.S. Department of Commerce in its Survey of Current Business; or a reestimation of the closure and post-closure costs in accordance with LAC 33:VII.1303.A.3.a and 1303.A.3.b. Revise the cost estimate whenever a change in the closure/post-closure plans increases or decreases the cost of the closure/post-closure plans. Submit a written notice of any such adjustment to the Office of Environmental Services within 15 days following such adjustment. [LAC 33:VII.1303.A.3.c]
R-30	LAC 33:VII.1303.B		Establish and maintain financial assurance through one or a combination of the following financial assurance mechanisms: a trust fund, a financial guarantee bond, a performance bond, a letter of credit, an insurance policy, or a financial test and/or corporate guarantee. The mechanism(s) shall fulfill the criteria specified in LAC 33:VII.1303.B.1 through B.6. [LAC 33:VII.1303.B]
R-31	LAC 33:VII.1307.A		Notify the Office of Environmental Services by certified mail of the commencement of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), U.S. Code, naming the permit holder or applicant as debtor, within 10 days after commencement of the proceeding. [LAC 33:VII.1307.A]
R-32	LAC 33:VII.1505.F		Pay the prescribed annual monitoring and maintenance fee in accordance with LAC 33:VII.1505.B, within 90 days after the due date. [LAC 33:VII.1505.F]
ARE 0001	Process	PRO	Processing Area
R-33	LAC 33:VII.717.B.2.a		Annual Certification per LAC 33:VII.525.A required. Maintain a fence that surrounds the site as a perimeter barrier and security personnel to ensure that unauthorized ingress or egress is prevented, except by willful entry, as shown in Attachment 7 and described in Section 12.B of the permit application. [LAC 33:VII.717.B.2.a]
R-34	LAC 33:VII.717.B.2.b		Continuously monitor, man, or lock each facility entry point during operating hours. [LAC 33:VII.717.B.2.b]
R-35	LAC 33:VII.717.B.2.c		Lock each facility entry point during non-operating hours. [LAC 33:VII.717.B.2.c]
R-36	LAC 33:VII.717.B.2.d		Post and maintain readable signs that list the types of wastes that can be received at the facility. [LAC 33:VII.717.B.2.d]
R-37	LAC 33:VII.717.B.3.b		Do not store, process, or dispose of solid waste within the buffer zone. [LAC 33:VII.717.B.3.b]

SPECIFIC REQUIREMENTS

AI ID: 198467 - Thermalayne LLC - Thermalayne Port Allen Facility

Activity Number: PER20160001

Permit Number:

ARE 0001	Process	PRO	Processing Area
R-38	LAC 33:VII.717.B.4		Annual certification per LAC 33:VII.525.A required. Establish and maintain access to required fire protection. [LAC 33:VII.717.B.4]
R-39	LAC 33:VII.717.B.4		Annual certification per LAC 33:VII.525.A required. Establish and maintain access to required medical care. [LAC 33:VII.717.B.4]
R-40	LAC 33:VII.717.B.6.a		Use the methods described in Attachment 35 and 58 to control entry of the waste and prevent entry of unrecorded or unauthorized deliverables (i.e., hazardous waste, TSCA-regulated PCB waste, and unauthorized or unpermitted solid waste). [LAC 33:VII.717.B.6.a]
R-41	LAC 33:VII.717.B.6.b		Establish and maintain a central control and recordkeeping system for tabulating the information required in LAC 33:VII.717.B.6.a. [LAC 33:VII.717.B.6.b]
R-42	LAC 33:VII.717.F.2.a		Annual certification per LAC 33:VII.525.A required. Maintain all records specified in the application as necessary for the effective management of the facility and for preparing the required reports for the life of the facility and for a minimum of three years after final closure. Maintain these records on-site for a minimum of three years. Retain records in paper copy or in an electronic format. Ensure that the electronically maintained records are a true and accurate copy of the records required to be maintained. Records older than three years may be kept at an off-site location provided they are readily available to LDEQ for review upon request. Maintain all permit applications and addenda (including those pertaining to prior permits) with the on-site records. [LAC 33:VII.717.F.2.a]
R-43	LAC 33:VII.717.F.2.b		Annual certification per LAC 33:VII.525.A required. Maintain records of transporters transporting waste for processing or disposal at the facility. Include the date of receipt of shipments of waste and the transporter's solid waste identification number issued by LDEQ. [LAC 33:VII.717.F.2.b]
R-44	LAC 33:VII.717.F.2.c		Annual certification per LAC 33:VII.525.A required. Keep the records specified in LAC 33:VII.717.F.2.c.i through F.2.c.v, and any other required records, on site. [LAC 33:VII.717.F.2.c]
R-45	LAC 33:VII.717.F.3.a		Annual certification per LAC 33:VII.525.A required. Maintain the personnel necessary to achieve the operational requirements of the facility. [LAC 33:VII.717.F.3.a]
R-46	LAC 33:VII.717.G.1.a		The receipt of hazardous waste and/or waste that is characteristically hazardous is strictly prohibited and shall be prevented. [LAC 33:VII.717.G.1.a]
R-47	LAC 33:VII.717.G.1.b		Open burning is prohibited unless prior authorization is obtained from the LDEQ and any other applicable federal, state, and local authorities. [LAC 33:VII.717.G.1.b]
R-48	LAC 33:VII.717.G.1.c		Salvaging is prohibited unless approved by the LDEQ. [LAC 33:VII.717.G.1.c]
R-49	LAC 33:VII.717.G.1.d		Prohibit scavenging. [LAC 33:VII.717.G.1.d]
R-50	LAC 33:VII.717.G.1.f		Do not accept mercury and/or cadmium-bearing batteries. [LAC 33:VII.717.G.1.f]
R-51	LAC 33:VII.717.G.2		Maintain operational plans that describe in specific detail how the waste will be managed during all phases of processing operations. Manage waste as described in Attachment 35 of the permit application. [LAC 33:VII.717.G.2]
R-52	LAC 33:VII.717.G.3.a		CONDITION: The receipt of hazardous waste and/or waste that is characteristically hazardous is strictly prohibited and shall be prevented. Review and maintain the hazardous waste determination performed by the generator in accordance with LAC 33:V.1103 for all solid waste prior to acceptance. Annually, require the generator to submit either a written certification that the waste being sent remains unchanged or a new waste characterization. [LAC 33:VII.717.G.3.a]
R-53	LAC 33:VII.717.G.3.a		CONDITION: In accordance with LAC 33:V.105.D.1.i, oil-bearing secondary materials that are generated at a petroleum refinery (SIC code 2911) and are inserted into the petroleum refining process (SIC code 2911) are not solid wastes for the purposes of the hazardous waste regulations. However, residuals generated from processing or recycling materials excluded under this Subsection, where such materials as generated would have otherwise met a listing under LAC 33:V.Chapter 49, are designated as F037 listed wastes when disposed of or intended for disposal. The facility shall store and dispose of these wastes in accordance with all applicable hazardous waste regulations. [LAC 33:VII.717.G.3.a]

SPECIFIC REQUIREMENTS

AI ID: 198467 - Thermaldyne LLC - Thermaldyne Port Allen Facility

Activity Number: PER20160001

Permit Number:

ARE 0001	Process	PRO	Processing Area
R-54	LAC 33:VII.717.G.3.b		Ensure that all containers provide containment of the wastes and thereby control litter, odor, and other pollution of adjoining areas. [LAC 33:VII.717.G.3.b]
R-55	LAC 33:VII.717.G.3.c		Perform cleanup daily, including equipment and waste-handling areas. [LAC 33:VII.717.G.3.c]
R-56	LAC 33:VII.717.G.3.d		Do not store solid waste long enough to cause a nuisance, health hazard, or detriment to the environment. [LAC 33:VII.717.G.3.d]
R-57	LAC 33:VII.717.G.3.e		Provide treatment facilities for washdown and other contaminated water. [LAC 33:VII.717.G.3.e]
R-58	LAC 33:VII.717.G.3.g		Maintain a plan for handling contaminated water as described in attachments 35 and 36. [LAC 33:VII.717.G.3.g]
R-59	LAC 33:VII.717.G.4		Provide and maintain sufficient equipment to meet the facility's operational needs. [LAC 33:VII.717.G.4]
R-60	LAC 33:VII.717.I.1		Submit a written notification of intent to close to the Office of Environmental Services at least 90 days before closure or intent to close, seal, or abandon any individual units. Provide the date of the planned closure and changes, if any, requested in the approved closure plan as described in Attachment 41, the closure schedule, and the estimated cost. [LAC 33:VII.717.I.1]
R-61	LAC 33:VII.717.I.2.b		During closure, remove all remaining waste to a permitted facility for disposal. [LAC 33:VII.717.I.2.b]
R-62	LAC 33:VII.717.I.2.c		During closure, verify that the underlying soils have not been contaminated due to the operation of the facility. Provide a remediation/removal program developed to meet the standards of LAC 33:VII.713.E.3 through E.6 to LDEQ, if contamination exists. [LAC 33:VII.717.I.2.c]

**THERMALDYNE
TYPE I-A WASTE PROCESSING
FACILITY
WEST BATON ROUGE PARISH**

OPERATIONAL PLAN

2016

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OPERATIONAL PLAN

This Operational Plan describes the types of waste accepted, minimum equipment to be utilized, waste acceptance and handling procedures, recycling procedures, system maintenance, inclement weather procedures, support facilities, day-to-day activities, and provisions for controlling vectors, air monitoring procedures, traffic control, and unit closure.

The facility is located in West Baton Rouge Parish south of Port Allen. The Thermaldyne Facility will utilize the indirect thermal desorption process. This is a treatment process where heat is applied to material such as waste soils, sediments, slurries and filter cakes in order to remove or vaporize volatile contaminants such as oils and solvents. Thermal desorption will also vaporize waste contained within the material and it functions as a "dryer".

1.0 ACCEPTABLE TYPES OF WASTE

Thermaldyne has a clearly defined acceptance and rejection criteria for waste that can be safely stored on site and treated by the thermal desorption process. Customers will be informed of the types of waste that Thermaldyne will be able to accept. Only waste that can be treated by the thermal desorption process will be accepted. Representative samples will be obtained and analyzed in order to characterize the waste material and identify contaminants. The characterized waste will be assessed to confirm whether or not it is suitable for storage and treatment by thermal desorption.

The following waste streams are acceptable for treatment at Thermaldyne:

- Oily sludge waste generated at oil refineries and petrochemical plants;
- Tank and tanker bottoms;
- Drill cuttings;
- Soils to be remediated; and other waste approved by LDEQ.

The facility will not accept:

- Hazardous waste;
- Residential waste;
- Mercury or cadmium batteries;
- Other waste streams that may cause an operational problem; and
- Waste streams specifically prohibited by LDEQ.

2.0 WASTE HANDLING PROCEDURES

Waste to be treated will be accepted at the receiving area. The waste loads will be inspected and a profile of the waste will be reviewed before the waste is accepted. The profile must verify that the waste is non-hazardous. Results of the TCLP must be submitted prior to acceptance of the waste. If the waste stream is hazardous, the waste load will be rejected.

Material will be stored under cover to prevent the generation of contaminated surface water and leachate. Upon receiving the waste the waste is dumped into the Receiving Pit. Once in the pit, the waste is pumped directly into processing. Therefore, the maximum amount of waste possible on the facility is if the receiving pit is full. The receiving pit measures 40'x12'x8', if the receiving pit is full it will hold 28,726 gallons of liquid material. It is important to note that due to the speed of Thermaladyne's process the pit may never be entirely full. There will be adequate ventilation and a vapor recovery system. The pit has a 46' by 18' shed cover over it to prevent rainwater from coming into contact with the waste. The pit will have a concrete curb surrounding its rim to prevent run-on/run-off as well.

3.0 EQUIPMENT

The Indirect Thermal Desorption Unit (ITDU) is an ex-situ, non-incineration technology designed to separate hydrocarbons from various matrices including oilfield waste, soil, sludge, sand, filter cake, tank and tanker bottoms, and contaminated soil. The typical ITDU plant is composed of several major subsystems (or skids) that work together. These include (1) feed unit, (2) the indirectly heated rotary drum, (3) treated solids cooling unit, (4) vapor recovery unit, (5) primary water treatment unit made up of oil waste separator and (6) central process controls.

The ITDU utilized by Thermaladyne will employ the indirect heating method. Heat is applied to the exterior of the heating chamber and is transferred through the wall of the chamber to the waste material. Neither the burner flame nor the combustion gases come in contact with the waste material or the off-gases. This type of ITDU is designed to maximizing the recovery of the volatilized contaminants from the off-gases.

4.0 TREATMENT PROCESS

The key principle of waste treatment by thermal desorption is achieving the optimal removal of volatile organic contaminants through accurate monitoring and control of the treatment temperature. It is important that the required treatment temperature for the required duration throughout the treatment cycle.

Treatment process parameters can be tailored to the specific properties and contaminants of the waste stream. The thermal desorption unit will require some level of flexibility if variable waste materials are to be treated.

The thermal treatment process will be carried out in a sealed chamber in order to minimize air ingress and to prevent the release of fugitive emissions. Vacuum conditions will be maintained to help prevent combustion of the waste material or volatile off-gases.

The thermal treatment will subject the waste stream to a gradual or staged heating process. Employing low heating rates will help to avoid significant chemical changes to the waste material while promoting evaporation and recovery of the full range of identified contaminants (ranging from those with the lowest boiling point to those with the highest).

A process for mixing the waste in the treatment chamber will aid in the transfer and distribution of heat within the waste material. This will help to ensure even and

consistent treatment and the release of desorbed gases. The treatment chambers are provided with helical flights which help to mix and move the material through the treatment chamber.

A comprehensive inspection and maintenance program is essential for maintaining system availability and efficiency. The rotary system will ensure that the material is able to move freely in the heating chamber and does not agglomerate or stick to the sides of the chamber.

The oven system is designed so that the waste material can be easily removed from the thermal desorption unit following treatment.

5.0 POST-TREATMENT

Post Treatment consists of:

- Management of the off-gases (collection cooling condensing and abating)
- Management of solid material (quenching, stabilization, and disposal)
- Management of recovered liquids (in-process reuse, water treatment, organic liquid treatment and disposal).
- All waste material (treated or untreated) will be stored under cover or in covered container, on impermeable hard standing surfaces with sealed drainage.

Managing the off-gas in order to minimize the emissions discharged from the plant is an essential aspect of ITDU design and operation. It is a key operating principle that sets thermal desorption apart from incineration. It is based on the optimized recovery of the desorbed contaminants from the gas rather than their destruction.

The operators will ensure that this facility is designed and will be operated in a way that maximizes process efficiency, in terms of raw materials and energy use, in order to minimize its indirect environmental impact and promote the sustainable use of resources. At the same time safe and effective standards will be maintained.

Solid materials will be cooled prior to being discharged from a contained system in order to prevent fugitive releases. The treated solid material will be sampled and analyzed on-site for residual contaminants and organic contaminants. Water quenching will be conducted in order to keep the solid cool and to control dust.

Recovered liquids that have condensed organic contaminants will be sent for further treatment and recovery.

Recovered liquids are often treated on site to separate the water and oil fractions. Such treatment activities will be carried out using appropriate tanks./vessels that are resistant to the contained material. These tanks or vessels will be located on an impervious surface and provided with high level alarms.

6.0 WASTE MINIMIZATION

Various residuals are always generated as part of the thermal desorption process regardless of the type. Typical waste resulting from thermal desorption include oversized materials, spent carbon, condensed water, process water, treated solid waste material, dusts from particulate control system, used filter and catalysts.

Where is that coming from?

Some of the waste streams will be suitable for recycling or reuse. The opportunities for recycling/reuse has been considered and will be reviewed on an ongoing basis.

Some of the waste streams will be suitable for recycling or reused in the process. Recovered water will be reused on-site to suppress dust emitted from the treated waste material before or after it exits the treatment plant.

The condensed desorbed materials will be stored temporarily on-site before being sent for recovery by the generator.

Fine material collected from the off-gas by the particulate abatement system will be mixed with the contaminated feedstock for re-processing or re-conditioning.

Spent carbon filter material will be sent for reactivation and reuse to the original supplier or processor.

Consideration will be given to the use of processed fuel oil as a source for heating or drive energy generation.

7.0 SAFETY AND ACCIDENT PREVENTION

The nature of the materials processed at this facility requires that safety be of prime importance, not only for our employees, but also for our clients and the procedures in the building. It is important that all appropriate measures are in place for the identification, assessment and management of the potential hazards and associated risks posed by the activities carried out on site, both under normal and abnormal conditions. Thermalayne has developed a health and safety plan.

- Employee safety begins at hiring with appropriate screening for any existing medical conditions which may affect their employment status.
- Employees are provided with all necessary safety equipment appropriate to their job classification. They are instructed in its proper use and failure to properly use it may be grounds for dismissal.
- All injuries occurring on Thermalayne property are reported to the appropriate supervisor/manager. Minor injuries are reported to the manager and treated according to their severity. A current list of the Emergency Medical Treatment Facilities is posted at the site. Thermalayne has agreements with these facilities to provide emergency medical treatment when needed.

Accidents

Incidences involving fires, explosions or other similar accidents may require the services of offsite emergency personnel specially trained to handle such situations. This includes internal accidents and any act of terrorism that occurs from external sources. A current list of available emergency agencies is posted at the site. Appropriate precautions will be taken to minimize the risk of fire or explosion. Volatile gases released from the waste material may have the potential to form explosive atmospheres. A nitrogen water fire suppression system will be installed when the building is constructed.

Equipment Breakdown

Thermaldyne will have on site a backup generator to run the thermal plant and basic office needs. It has been sized by a professional engineer.

Inclement Weather

Hurricanes, ice storms, tornadoes, and other inclement weather conditions usually are not of sufficient duration to cause a lapse in the ability to serve our clients.

8.0 TRAINING

Employees involved in operation of the ITDU and associated equipment at the facility are trained at hiring and as necessary after that due to changes in policies, procedures, and equipment.

Prevention of processing of solid waste in the buffer zone

All processing of solid waste will take place in the materials handling building. Once on site the waste will not leave the concrete pad without being first processed and packaged for export.

Non-recyclable waste

Thermaladyne will wash all of the non-recyclable waste they receive such as hard hats and other PPE over the receiving waste pit. The waste will then be placed in a roll off dumpster to be brought to a landfill permitted to receive such waste. The non-recyclable liquids they receive will be brought to a state approved permitted landfill capable of accepting such waste.

The water generated will then go through the water treatment process with the other wastewaters gathered from the facility. The cleaned water will exit the facility through its permitted outfall.

Storage of waste

There are no tanks or areas to store solid waste inside the 200' buffer zone. Thermaladyne has a 40' live dump, so unless there is a power outage material will be discharged once inside Material Handling Building or 40' pit area. At no time will there be any storage of liquid or solid waste inside 200' buffer zone east and west. If power outage occurs, all operations cease until power is restored. Material will remain in trucks, also containers will not be dropped for discharge at a later time. If needed, truck(s) will be asked to leave with load intact and return upon power restoration. As noted on drawing, we have no vessels or operations within 200' buffer zone.

Solid waste will be washed and stored in a roll off container destined for a landfill permitted to take this waste. The washing of the material will clean it enough to prevent noxious or nuisance fumes or odors. This storage will also not attribute to any health hazards or detriment to the environment. The roll away container will be located on the concrete pad, which will allow for proper treatment of any residual liquids that might escape from the container from the container. Leakage through the pad will be caught by the 30mil liner below.

Phase1 – Prepping for Process

Receiving Pit

- 8' Deep x 40'L x 12'W
- 4" 400GPM Hydraulic Slurry Submersible Pump
- 4" Slurry Pump Connection
- Power Pack with slip hose connections
- Winch Egress System

*The receiving pit (located at the front of the plant) will accommodate any incoming waste introduced to the plant. Trucks will dump material into the pit. The material will then get transferred to the scalper system via submersible slurry pump. The total down time for the 4" Slurry pump is 1 Hour with spare parts on hand.

5000 PSI Electric Pressure Washer

- 5000 PS, 5 GPM and Unloader
- 3/8" 6000 PSI Pressure Hose
- Adjustable Timer Relay
- Single, In-Line 10 Micron Water Filter
- Chemical Injection System
- *The 5K pressure washer will get placed alongside the Receiving Pit. It will be used to clean out the pit and surroundings areas of any debris and/or spills the plant may encounter.

Dewatering System Scalper/High "G" Shaker

- 8'x40'x8'
- 100 Mesh Screens on High G Shaker
- 10 to 20 Mesh on Scalper
- XP System

*The Dewatering System is designed to scalp incoming muds or liquids of debris. The Dewatering System will receive the incoming material pumped from the Receiving Pit. The material will get pumped to the scalper shakers first, and then introduced to High 'G' Shaker. Solids captured from the Dewatering Unit will get hauled off to the dirty building, while the liquids get pumped to the slurry tanks.

Electric Screen Cleaner

- Dolly Style Skid
- 700PSI, 1.5 GPM
- 2HP EXP Proof
- 48" Single Barrel Wand

*The Electric Screen Cleaner will be used to wash down the shaker screen as needed

Phase 2- Processing

CL-390 Lobe Pump System

- Transfer Pump
- Buna Lobe Tips
- Portable Skid
- 268 GPM
- Total Down Time: 1 Hour w/ Spare parts on hand

*Liquids captured for the dewatering system will need to get transferred to the slurry tanks. The CL390 lobe pumps will be the main source of fluid transfer on the site. It is a universal pump and can handle various products.

4500 Gallon Slurry Tanks

- Hi/Low Level Float Switches
- 20" Manway
- Clean-Out Ports
- 6" Slope
- Vapor Relief
- Seal Welded Ceiling
- Level Indicators

*There are (2) 4500 gallon slurry tanks within the plant. The slurry tank will hold the incoming liquids from the Dewatering Unit. Once the slurry enters the tank, various materials will get blended to prep the slurry for processing. The liquids then get pumped off to the process tanks via CL390 Lobe pump. The tanks will also take in recycled water from the water treatment segment.

CBLE-700-125 Fire Tube Boiler

- Dryback Fire Tube boiler
- Efficient Fuel Burning
- Low Emissions
- Utilizes Natural Gas
- 125psig Operating System

The CBLE Fire Tube boiler will be used to heat and treat the material within the process tanks. There are a total of 3 boilers to process the 3 process tanks.

9000 Gallon Process Tank

- 3(4500) gallon sections
- Float switches
- 2" Steam Lines
- 6" Slope
- 20" Manway
- Vapor Relief Valve
- Seal Welded Ceiling
- Clean-Out Ports
- Suction/Discharge Ports
- Level Indicators

*The Process Tanks are located directly under the centrifuge systems. These tanks will take on the incoming material from the slurry tanks. The tanks are equipped with agitators and steam lines to properly treat the material before they enter the centrifuge.

RS-C3P-2100FVD 21" 3 Phase Centrifuge System

- 125 HP Main Drive Motor
- 60HP Back Drive
- 2800 RPM
- P-90 Gearbox
- 21" x81" 321 Stainless Bowl
- 50% Tiling
- Tungsten Carbide Discharge Nozzles
- Explosion Proof VFD System

*These Units are equipped with a fully variable speed drive system. Each unit has been specified for this project to handle 70%water, 20%oil, and 10%solids but can be adjusted to handle various products. The 3 phase unit is designed to separate oil, water and solids. Once the material is ready to be processed, it will get pumped from the process tanks to the centrifuge feed inlet. The centrifuge will then separate the material into 3 parts (see above) and exit out their designated discharge ports.

Standard Centrifuge Fixed Stands

- Holds 3 Centrifuges
- OSHA Safety Yellow Coating
- OSHA Handrails
- Catwalk
- Stairways

*The centrifuge stands are structurally engineered to accommodate the centrifuge system. It will grant access to the centrifuge as need for operation and maintenance.

Flocculation System/Control Room/ Small Tool Storage

- 40' Shipping Container
- Flocculation Module
- Polymer Injection Pump
- Inline Static Mixer
- Hoot Nanny
- Overhead Lights
- Doorway

*The flocculation unit will be the center location for operation. It is divided into 3 Segments;The Control Center (used for operating the centrifuge system), Flocculation module (used to inject and mix chemicals for material before processing), and Small Tool Storage Room.

Phase 3- Post Processing

14"x48' Enclosed Auger Systems

- Handle Solids Discharges from Centrifuges
- ESD

*Solids captured during the centrifuge separation process will get hauled off to the dirty building via a 14" auger system. Under a 30% total load at 85RPM, the auger can output 1770 CU. FT/HR.

4500 Gallon Effluent Tank

- Hi/Low Level Float Switches
- 20" Manway
- Clean-Out Ports
- 6" Slope
- Vapor Relief
- Seal Welded Ceiling
- Level Indicators

*Effluent will discharge from the centrifuge in 2 separate phases; Oil & Water. Both liquids will discharge from the centrifuge into their designated tanks. The water captured from the separation process will get pumped out its tank and introduced the water treatment cycle of the plant.

Rain Water Sump Pump

- No Clog
- Explosion Proof
- 500GPM

*The Rain Water Sump Pump has been properly sized to withstand a 25yr. major Rain event. In the event this occurs, the sump pump is designated to pump the excessive rain water from the sump to (5) 24,000 Gal. Standby storage tanks within the plant. The sump pump is capable of pumping up to 500gpm through a 4" line.

Water Treatment Segment

- Equalization Tanks
- Coagulant Tanks
- PH adjustment
- Polymer System
- Clarifier/DAF Unit
- Sludge Tank
- Multi Sand Filter
- Chemical Metering Unit
- Polymer Chemical Pumps

*The Water Treatment Plant is designed to take the water separated from the centrifuge. Excess waste water will enter into a 4000 gallon transfer tank where the low head centrifugal pump will transfer the excess water to the water condition tank where the pH is adjusted, flocculent and coagulant are added and mixed in rapid mixing tanks. The process water gravity flows into the DAF system. Plate separation technology provides higher surface area for solids removal. Regenerative turbine systems that create very fine bubbles of 5-15 microns resulting in high removal efficiency with lower power requirements

with less chemistry. Treated process will flow into a transfer tank where high head centrifugal pumps will pass the water through a high pressure sand filters/bag filters for final polish. This water then can be reused in the process or discharged as desired.

One known the problem arousing with the water treatment segment is not so much water but the water quality with TSS, organics and heavy metals. Additional water treatment will be needed for discharge permit requirements. The water treatment segment will need to manage not only Hydrocarbons, but Heavy metals including Mercury at 0.005 ug/L, Arsenic at 5 ug/L, Cyanide at 10 ug/L, Total Dissolved Solids (TDS) which includes chlorides, carbonates, and temperature. Temperature increases the solubility for the inorganic material, making it harder to get down to the very low levels required by the discharge permit. There are several different methods in which the above process can be accomplished:

Option 1: Discharge water from the final filter will need to be cooled down below 90 f. This cooler water will then enter a series of preconditions tanks where additions of coagulation and flocculants are added, mixed and sent to an Incline Plate Clarifier, sludge from the bottom will be pulled out over time and sent to be disposed of. Water will go through a continuous backwash flow sand filter and into a series of pressure filters to remove any residual metals. Additionally, RO may be needed as a final polish to remove excess chlorides.

Option 2: Electrocoagulation system replaces the Incline Plate Clarifier with a much smaller foot print. includes reaction chamber, filter prescreen, electrocoagulation pump, air purge, 480-volt AC to DC power with programmable Logic Controller, current control and polarity reversing. Steel and aluminum blade set, auto cleaning valve system. Again, RO may be needed as a final polish.

Option 3: Zero Liquid Discharge System separates any brine, metal into a concentrate which then can be disposed of as a solid waste. Temperature is not a factor but will require a closed loop water flush system during shutdown. Again, RO or specialties adsorbent maybe need as a polish.

Attachment 58
Thermaldyne, LLC
Waste Acceptance Plan

Thermalayne, LLC has determined that each year it will plan to receive a maximum of 72,800 wet tons of waste per year. 100% of the Industrial waste will come from generators within Louisiana. Record keeping will be kept as described in this document. As Thermalayne is built, an updated list will be submitted once clients have been determined.

This waste acceptance plan (WAP) in conjunction with Standard Operating Procedures (SOP), establishes the steps in which Thermalayne:

- Obtains and verifies information prior to approving waste for processing and recycling;
- Identifies safe handling procedures for plant workers;
- And ensures that each acceptance unit receives only those wastes that are authorized to be processed in this recycling facility in accordance with LAC 33:VII.717 Regulations.

The highest priority for this facility is ensuring waste accepted from a 3rd party is not hazardous waste. Wastes that do not meet regulatory requirements will not be accepted for treatment by Thermalayne. The hazardous waste identification (HWID) process is crucial for maintaining and managing this system. Correctly determining whether a waste meets The Resource and Conservation and Recovery Act (RCRA) definition of hazardous waste is essential to determining how the waste must be managed and whether the waste is to be accepted or rejected. Before waste is characterized as hazardous or nonhazardous it must first be characterized as solid waste. This facility will do so by following the definition of a solid waste from section 261.2 of RCRA Regulations.

Characterization should be included by the waste generator in a form provided by Thermalayne. Characterization of waste prior to approval for recycling/processing includes verification of its nonhazardous classification as well as other pertinent constituents. After waste being received is deemed a solid waste first, it can then be determined whether it is a hazardous waste or not. If waste has not been determined Hazardous Waste by EPA standards, Solid Waste Characteristics can be identified first by four criteria: Ignitability, corrosivity, reactivity, and toxicity.

1. Ignitability – Pensky—Martens Closed—Cup Method
2. Toxicity Characteristic Leaching Procedure (TCLP)
 - a. If a “Solid Waste” fails the test for one or more of these compounds listed in 40 CFR 261.24, the waste is considered to be hazardous.
3. Corrosivity Toward Steel (Method 1110A)
4. Reactivity – No test methods available.

The generator is required to provide full documentation that demonstrates that the waste has been properly characterized per 40 CFR Part 262 requirements. Generators who ship wastes to Thermalayne that do not meet regulatory requirements will be barred from shipping additional wastes to Thermalayne for treatment until they have been reinstated in accordance with this WAP.

In order to determine the waste is nonhazardous and that the company has accurately characterized the waste, it will go through follow-up tests with Thermaldyne's Louisiana Department of Environmental Quality (LDEQ) Approved Lab. Wastes listed on the EPA's F List, P List, U List or K List will all be turned away as those wastes are deemed Hazardous by EPA standards. A list of all of these determined Hazardous Wastes will be attached to this plan, or they can be located in 40 CFR 261.31, 40 CFR 261.32, and 40 CFR 261.33.

Characteristics and Form Requirements

The Thermaldyne treatment/recycle process has determined what type of waste they will be accepting at this time. This waste that will be accepted includes primarily waste bottoms (waste code 041). The criteria that should be included when a waste is shipped to Thermaldyne should include physical and chemical characteristics, stability requirements, and safety considerations. Record keeping will include the waste name, generator name, quantity, date, and all documents developed in the approval process.

Waste Profile Approval

The profile approval process involves multiple steps incorporating interdisciplinary review of generator-supplied information for waste acceptability, analysis of a pre-shipment sample (if applicable), and verification cross-checks. Thermaldyne will evaluate the waste profile information and supporting documentation provided by the waste generator for each waste shipment to ensure the waste is acceptable for receipt and treatment in the Thermaldyne Facility.

Information to be provided with the Waste Profile Form (WPF) includes:

- Generator and license information;
- Regulatory classification; physical and chemical composition of waste.

The waste generator may also use process knowledge to augment analytical data in completing a WPF, as long as there is reasonable assurance that this approach can be correlated by bounding or other relationships to actual or known quantities. In certain cases, process knowledge alone may be sufficient to adequately characterize a waste.

Waste Receipt

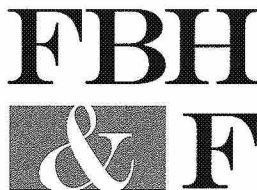
Thermaldyne identified one category (waste codes 036-042) of sludge waste for the purpose of verifying that waste acceptance criteria have been met by incoming waste received for treatment. Waste receipt verification techniques will be used when waste has arrived at Thermaldyne's facility. Intrusive inspections, sampling and external verification techniques will be used in order to verify the waste is what it states it is. Intrusive inspections involve opening waste packages and visually inspecting the waste. Intrusive sampling requires a collection of physical samples of the incoming waste materials in sample containers for (LDEQ approved) laboratory analyses.

Safe Handling Procedures

Safety Management in the facility will be a priority that Thermaladyne will dedicate time and effort to making sure safety is maintained. Techniques to ensure that solid waste is handled correctly and safely start with the knowledge of the workers in this facility. Employees at this facility will be well equipped with knowledge and training of the waste that will be accepted at this plant and the precautions to be taken when handling this solid waste. Workers will undergo Occupational Safety and Health Administration (OSHA) Safety training and refresher courses when necessary. This will allow the workers to understand the potential dangers of wastes and what to do in an emergency. Employees will be fully aware of placement of decontamination areas. Hazard prevention programs will be developed in order to decrease injury and limit exposure to risks in the work place and surrounding community.

Thermaladyne will also take into account that significant deviations from the approved descriptions shall be cause to reject the waste. Great care will be taken to incorporate the material into the working face at a rate not to hamper normal operations. By following these guidelines, Thermaladyne ensures compliance will be followed with these procedures prior to accepting waste.

Potts



FRTZ, BYRNE, HEAD & FITZPATRICK, PLLC

Attorneys at Law

October 30, 2015

Mr. John Blevins
Compliance Assurance & Enforcement Division
Division Director 6EN
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

RECEIVED
2015 NOV -4 PM 1:38
6EN - H
HAZARDOUS WASTE
ENFORCEMENT BRANCH

SUBJECT: Hazardous Waste Regulatory Standards for Thermal Desorption Units at Petroleum Refineries

Dear Mr. Blevins:

Thermal desorption units (TDUs) are broadly used to treat hazardous waste and hazardous secondary materials. The application of thermal desorption technology within a recycling or reclamation process has been reviewed by Region 6 in multiple enforcement cases. The resulting allegations and consent agreements have established regulatory positions that may not be consistent with broad industry practice. This letter seeks clarification of EPA's position for TDUs that are co-located at refineries.

A TDU is a thermal treatment device that heats solid material to vaporize, remove, and separate organic constituent materials from the solids. The solids are discharged with little or no residual organic contaminants, meeting RCRA LDR and at times even delisting levels of residual organic compounds. In the embodiment that is the subject of this letter, the separated organic constituents are typically condensed and recovered as a liquid oil. The TDU process characteristically generates a vent gas after the condensing system. When high organic content material is processed in the TDU it is quite common for the unit to be designed to combust the vent gas as an effective means of air pollution control. It is the regulatory applicability related to the combustion of all or a portion of the vent gas that I am seeking clarification.

TDU at Petroleum Refineries.

An application of thermal desorption technology has been locating the TDU onsite at a petroleum refinery to process oil bearing hazardous secondary materials (OBHSM) and return the reclaimed

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oil back to the refinery. There are presently at least three such TDUs operating at refineries in Region 6 processing OBHSM. These TDUs are functionally identical to the two TDUs presently operating in Region 6 at TSDFs. The OBHSM that is managed in refinery based TDUs, if shipped to a TSDF, would be listed hazardous waste and is typically listed as either K048, K049, K050, K051, K052, K169, K170, K171, K172, F037 or F038, or may be hazardous waste by characteristic (i.e. "D" coded).

It is my understanding that OBHSM that is legitimately recycled in a TDU at a refinery location to reclaim oil may be excluded from consideration as a solid waste and therefore the activity would not be RCRA regulated. This exclusion from the definition of solid waste is codified under 40 CFR § 261.4(a)(12), as long as the OBHSM is neither speculatively accumulated nor placed on the land.

For a specific application where a TDU is located at a petroleum refinery and legitimately recycling OBHSM under the 40 CFR § 261.4(a)(12) exclusion from the definition of solid waste, please confirm that the following regulatory requirements would apply to the TDU process, and in particular to the activity of combusting the TDU vent gases:

1. Because the OBHSM is excluded from RCRA, the OBHSM is neither a solid nor hazardous waste when generated, accumulated, stored, or processed in the TDU, as long as speculative accumulation is not performed and the OBHSM is not placed on the land. However the "desorber solids" discharged from the TDU remain listed hazardous waste, specifically waste code F037.
2. Because the OBHSM is excluded from RCRA, combustion of the TDU vent gas is not considered RCRA regulated thermal treatment as it would be if the TDU were performing a similar recycling operation at a TSDF.
3. For TDUs that combust all or a portion of the TDU vent gas (fuel gas), that combustion activity must comply with 40 CFR Part 60 Subpart Ja requirements including CEMS requirements.
4. Items 4 and 5 assume that the refinery is a major source of air emissions subject to Title V permitting. For TDUs that combust all or a portion of the TDU vent gas (fuel gas), that combustion activity must comply with 40 CFR Part 63 Subpart DDDDD requirements for combustion of the vent gas, particularly fuel gas composition, analysis and performance requirements.
5. The TDU as a piece of refinery equipment would need to be designed, operated, maintained and inspected in accordance with appropriate specific equipment design and performance requirements, as well as leak detection and repair statutes, that apply to other oil processing equipment located at the refinery, as per 40 CFR Part 63 Subparts CC and H, and other applicable MACT standards.
6. Because the TDU is not managing crude oil or another refinery product, but is rather recycling a byproduct (i.e. a secondary material) of the refining process, the OBHSM recycling activity would be subject to the Benzene Waste Operations NESHAP (BWON) as per 40 CFR Part 61 Subpart FF and its many design, operation, maintenance, inspection and recordkeeping requirements.

Mr. John Blevins
Regulatory Standards

October 30, 2015
Page 3

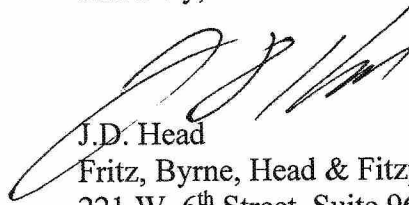
7. It is understood that specific refineries may be operating under EPA or State compliance agreements and consent orders that modify or delay compliance with items 3, 4, 5 and 6 above, and that those consent agreements may take precedence over the current codified regulations.

I am unclear whether MACT "EEE" compliance (i.e. 40 CFR Part 63 Subpart EEE) for the TDU would be triggered at a Title V petroleum refinery facility by combustion of TDU vent gas that is generated from material that would otherwise be regulated as hazardous waste. Please provide me with EPA's regulatory position on this issue.

Again, please confirm my understanding of the above enumerated regulatory standards as they apply to the processing of OBHSM in a TDU located at a petroleum refinery where all or a portion of the vent gas is combusted.

Your support in clarifying these matters is most appreciated. My client intends to construct and install one or more TDUs in Region 6 located at a petroleum refinery, and desires regulatory certainty on the issues discussed herein.

Sincerely,



J.D. Head
Fritz, Byrne, Head & Fitzpatrick, PLLC
221 W. 6th Street, Suite 960
Austin, Texas 78701
(512) 476-2020 telephone
jdhead@fbhf.com

Message

From: Potts, Mark [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F0F11DC437F944FD8CB779B3316DE870-POTTS, MARK]
Sent: 11/4/2015 9:17:01 PM
To: Tidmore, Guy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6e9af087a1ce4703b25a4a8e6fa048dd-Tidmore, Guy]; Robertson, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e2aa2eb3df9a4b718dcb6868839acb2f-Robertson, David]; Pearson, Evan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d10433f23dd64bd2a3efc03d6367856c-Pearson, Evan]
CC: Spalding, Susan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=17fb5ab7a65145d4bde2327fc6d02378-Spalding, Susan]; Chiang, I-Jung [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0d99edf42c6d4c36b1ac220ce5c514ea-Chiang, I-Jung]
Subject: Confirm regulatory position - TDUs
Attachments: TSDF_001.pdf

Here's the second request

From: r6_fax@epa.gov [mailto:r6_fax@epa.gov]
Sent: Wednesday, November 04, 2015 2:51 PM
To: Potts, Mark
Subject: Attached Image

Pctb



FRITZ, BYRNE, HEAD & FITZPATRICK, PLLC
Attorneys at Law

RECEIVED
2015 NOV -4 PM 1:38
GEN - H WASTE
HAZARDOUS
ENFORCEMENT BRANCH

October 30, 2015

Mr. John Blevins
Compliance Assurance & Enforcement Division
Division Director 6EN
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

SUBJECT: Hazardous Waste Regulatory Standards for Thermal Desorption Units at TSDFs

Dear Mr. Blevins:

Thermal desorption units (TDUs) are broadly used to treat hazardous waste and hazardous secondary materials. The application of thermal desorption technology within a recycling or reclamation process has been reviewed by Region 6 in multiple enforcement cases. The resulting allegations and consent agreements have established EPA's regulatory position. This letter presents my understanding of EPA's position on certain regulatory and technical requirements for TDUs that are installed at a RCRA treatment storage and disposal facility (TSDF).

A TDU is a thermal treatment device that heats solid material to vaporize, remove, and separate organic constituent materials from the solids. The solids are discharged with little or no residual organic contaminants. In the embodiment that is the subject of this letter, the separated organic constituents are condensed and recovered as a liquid. The TDU process characteristically generates a vent gas after the condensing system. When high organic content material is processed in the TDU it is quite common for the unit to combust the vent gas as an effective means of air pollution control. It is the regulatory applicability related to the combustion of all or a portion of the vent gas that I am seeking clarification.

TDUs at RCRA TSDFs.

One application of thermal desorption technology is to commercially reclaim oil from various generators of oil bearing hazardous waste. These hazardous wastes are generated by petroleum refining, production and transportation practices, and are typically listed as either K048, K049,

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K050, K051, K052, K169, K170, K171, K172, F037 or F038, or may be hazardous by characteristic (i.e. "D" coded). If the hazardous waste recycled in the TDU comes exclusively from the above sources, the oil reclaimed from the TDU may be burned as a non-hazardous fuel if it meets the Used Oil Specification (UOS) at § 279.11, as per 40 CFR § 261.6(a)(3)(iv)(C). If the oil does not meet the UOS, it would remain a listed waste and require disposal at an appropriately permitted and operated facility, such as a Part 266 "BIF" or a Part 264 Subpart O incinerator. The generator will manifest and ship oil bearing hazardous waste to the commercial facility for treatment and/or reclamation. Based on two focused enforcement actions in EPA Region 6 since 2008, it appears EPA has concluded the following findings and regulatory requirements apply to commercial TDUs receiving offsite RCRA hazardous waste for treatment or reclamation.

1. For a TDU that combusts all or a portion of the vent gas, combustion of the TDU vent gas from RCRA hazardous waste or recyclable RCRA regulated materials is considered thermal treatment that is regulated by RCRA.
2. Thermal treatment of the vent gas requires a RCRA permit, 40 CFR Part 264 Subpart X or Subpart O, and a RCRA permit under one of these Subparts is required even if the facility is operating as a RCRA exempt recycling activity.
3. For TDUs with vent gas combustion processes that are permitted under RCRA Subpart X, the RCRA permitting authority should include in the permit application and final permit appropriate conditions from RCRA Subparts I through O, AA, BB and CC, and also include appropriate conditions from Part 63 Subpart EEE (i.e. the MACT "EEE").
4. The TDU must have an automatic waste feed cutoff system and establish appropriate operating parameter limits (OPLs) prior to initial operation to assure continued compliance with all emissions limits.
5. Minimum appropriate conditions from the MACT "EEE" include compliance with emission limits for particulate matter, hydrochloric acid, volatile metals (Hg), semivolatile metals, low volatile metals, destruction and removal efficiency, carbon monoxide, total hydrocarbons, and dioxins.
6. A compliance demonstration test (Trial Burn) is required to establish that the emissions from the combustion of the vent gas meet the emissions limits that were determined appropriate for the unit, including MACT "EEE."
7. Final OPLs shall be derived from demonstrated test conditions and established as permit requirements for the continued operation of the TDU.
8. Failure to demonstrate compliance with emissions limits requires shutdown of the TDU on RCRA regulated waste materials until corrective measures and re-demonstration can be implemented.

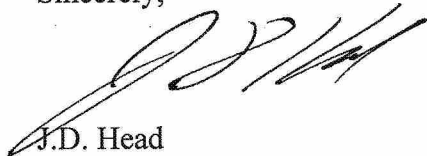
Please confirm that each of these enumerated statements accurately reflect EPA's regulatory conclusions for the management of commercial TDUs that combust vent gases generated from receiving offsite hazardous waste for treatment or reclamation at a TSDF.

Your support in clarifying these matters is most appreciated. My client intends to construct and install one or more TDUs in Region 6 that may be located at a TSDF and desires regulatory certainty on the issues discussed herein.

Mr. John Blevins
Regulatory Standards

October 30, 2015
Page 3

Sincerely,

A handwritten signature in black ink, appearing to read 'J.D. Head', written over the printed name.

J.D. Head

Fritz, Byrne, Head & Fitzpatrick, PLLC
221 W. 6th Street, Suite 960
Austin, Texas 78701
(512) 476-2020 telephone
jdhead@fbhf.com

Message

From: Potts, Mark [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F0F11DC437F944FD8CB779B3316DE870-POTTS, MARK]
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CC: Spalding, Susan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=17fb5ab7a65145d4bde2327fc6d02378-Spalding, Susan]; Chiang, I-Jung [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0d99edf42c6d4c36b1ac220ce5c514ea-Chiang, I-Jung]
Subject: Regulatory clarification requests for TDUs
Attachments: Verified Recycler_001.pdf

Attached is the first of 3 similar requests from the same law firm asking for confirmation on regulatory position taken in R6 enforcement actions related to TDUs.

From: r6_fax@epa.gov [mailto:r6_fax@epa.gov]
Sent: Wednesday, November 04, 2015 2:50 PM
To: Potts, Mark
Subject: Attached Image



FRITZ, BYRNE, HEAD & FITZPATRICK, PLLC

Attorneys at Law

RECEIVED
2015 NOV -4 PM 1:38
6EN - H
HAZARDOUS WASTE
ENFORCEMENT BRANCH

October 30, 2015

Mr. John Blevins
Compliance Assurance & Enforcement Division
Division Director 6EN
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

SUBJECT: Hazardous Waste Regulatory Standards for Thermal Desorption Units used as "Verified Recycler" Facilities

Dear Mr. Blevins:

Thermal desorption units (TDUs) are broadly used to treat hazardous waste and hazardous secondary materials. The application of thermal desorption technology within a recycling or reclamation process has been reviewed by Region 6 in multiple enforcement cases. The resulting allegations and consent agreements have established EPA's regulatory position. This letter seeks clarification of EPA's position for TDUs that are used to recycle hazardous secondary materials as a "verified recycler" under the Definition of Solid Waste standards published January 13, 2015.

A TDU is a thermal treatment device that heats solid material to vaporize, remove, and separate organic constituent materials from the solids. The solids are discharged with little or no residual organic contaminants. In the embodiment that is the subject of this letter, the separated organic constituents are typically condensed and recovered as a liquid oil that has considerable value and is an effective substitute for commercial petroleum products; a legitimate recycling activity. The TDU process characteristically generates a vent gas after the condensing system. When high organic content material is processed in the TDU it is quite common for the unit to be designed to combust the vent gas as an effective means of air pollution control. When the TDU is operated under a RCRA Part B permit, appropriate technical requirements from Part 264 Subparts I, J, O, AA, BB, CC, Part 270, and Part 63 Subpart EEE are all included in the Part 264 Subpart X permit for the unit. Through the RCRA permit comprehensive and stringent EPA standards are implemented for air emissions control and containment of the hazardous materials.

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TDUs Recycling HSM at RCRA TSDF under a Part B Permit.

One application of thermal desorption technology is to commercially reclaim oil from various generators of oil bearing hazardous waste. These hazardous wastes are generated by petroleum refining, production and transportation practices, and are typically listed as either K048, K049, K050, K051, K052, K169, K170, K171, K172, F037 or F038, or may be hazardous by characteristic (i.e. "D" coded). If the hazardous waste recycled in the TDU comes exclusively from the above sources, the oil reclaimed from the TDU may be burned as a non-hazardous fuel if it meets the Used Oil Specification (UOS) at § 279.11, as per 40 CFR §261.6(a)(3)(iv)(C). Or, the oil bearing hazardous waste may also contain constituents that are fuels themselves thereby making their recycling into a fuel a legitimate recycling activity; an application of § 261.2(c)(2)(ii). The generator may consider these legitimate recycling activities to be managing hazardous secondary material (HSM) for recycling under the January 13, 2015 DSW rulemaking. If the TDU is being operated under a RCRA permit, by those same standards the TDU would qualify as a "verified recycler" and satisfy the generator's obligation to use such a facility for their HSM recycling. In that regard, the hazardous waste could be classified as HSM and not manifested as RCRA hazardous waste, as long as there is a recycling contract between the generator and the TDU recycler, and all other criteria of the DSW rulemaking are being met. Please confirm this interpretation.

TDUs Recycling HSM at an un-Permitted Facility.

On the other hand, if the TDU were not being operated under a RCRA Part B permit it would be necessary for the TDU operator to secure and for the generator to require a "variance" from EPA, or the authorized State in which they operate, specifically authorizing the HSM recycling activity under § 260.31(d). The "variance" would need to require that all of the DSW criteria are being met in the absence of a RCRA Part B permit, including both requirements that address the management of recycling residuals such that any residuals generated from the reclamation process are managed in a manner protective of human health and the environment, and requirements to address the potential for risk to proximate populations from unpermitted releases of the HSM. While it is administratively conceivable that such a variance could be prepared it seems not to be EPA's intention that all of the permit doctrine associated with RCRA permitted hazardous waste thermal treatment could be effectively addressed in such a recycling "variance." It would rather seem appropriate for EPA to give specific guidance that authorized States and EPA Regional offices not use the DSW HSM "variance" process to grant approval for TDUs performing hazardous waste thermal treatment that would otherwise require a RCRA Part B permit. Please also confirm this interpretation.

Again, please confirm my understanding of the above enumerated regulatory standards as they apply to the recycling of HSM in a TDU operated under either a RCRA Part B permit, or being operated as an un-permitted recycler under a DSW "variance."

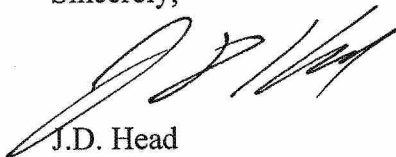
Your support in clarifying these matters is most appreciated. My client intends to construct and install one or more TDUs in Region 6 and desires regulatory certainty on the issues discussed

Mr. John Blevins
Regulatory Standards

herein.

October 30, 2015
Page 3

Sincerely,

A handwritten signature in black ink, appearing to read 'J.D. Head', written over the printed name.

J.D. Head

Fritz, Byrne, Head & Fitzpatrick, PLLC
221 W. 6th Street, Suite 960
Austin, Texas 78701
(512) 476-2020 telephone
jdhead@fbhf.com

Message

From: Colon, Lilybeth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6AE6D0CC3F984B08B8101569A2CF6308-COLON, LILYBETH]
Sent: 12/21/2017 2:17:46 PM
To: Adrienne.White_tn.gov [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3ec60e144b624702b6ce9740a1164388-Adrienne.Wh]; Albert.Frakes_tn.gov [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7a153190a3cc4830a14fca38813dcb29-Albert.Frak]; Amaro, Laurie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7fbd589d4dc04e1a9f07be4ec2e81897-LAMARO]; amy.potter@dnr.state.ga.us [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=97cb8de3990349c7826c5ef859b44c41-amy.potter@]; anca461_ecy.wa.gov [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=362f5499362b48f68b4a3463f1cb2619-anca461_ecy]; Angela.alonso@deq.virginia.gov [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b8fe23c171c64890878d7e0508e1c623-Angela.alon]; appatel@gw.dec.state.ny.us [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3eefea9b7b84f9d943a96ae559b888d-appatel@gw.dec.state.ny.us]; April.Webb@ky.gov [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fbe66910be3741469149f96dd371d83c-April.Webb@ky.gov]; Armann, Steve [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a0e0ea7a009d4d75bc7bea58747ccf9e-SARMANN]; AWong@dtsc.ca.gov [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54b9f58c896e4d05abcbaf6dee53a89f-AWong@dtsc.ca.gov]; Bartus, Dave [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6da455ea39234123a9cf7dac2f5707be-Bartus, David]; bheem.kothur@dep.state.fl.us [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=012d6e2312d44ae5b3740cc94ddb6f93-bheem.kothur@dep.state.fl.us]; bill.fanska_dnr.mo.gov [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ffa65d5437cd4867bd53939ff6d232ce-bill.fanska]; Blankenship, Melissa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=95719b84323a45c294fa01190917d76f-MBlank02]; Blough, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9b6cd99b3f4640da9341342bc953291b-JBlough]; Bowling, Linda [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8b8b26ec739e403ca18f437e5f4e2613-Bowling, Linda]; brent.luebbe@nebraska.gov [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4dfe4b59d1324cd086fd53f82d3b00c1-brent.luebbe@nebraska.gov]; brian.english@deq.idaho.gov [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=de9c08278abf4e348bf6d3cd35398d83-brian.english@deq.idaho.gov]; Brogard, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3d4dd682766b4d7396433e5d69d1bf9b-Brogard, John]; Bud.mccarty@ncdenr.gov [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9e0a0baf2a144db386a9c24001002458-Bud.mccarty@ncdenr.gov]; Bud.McCarty@ncmail.net [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4666b1a45cfb444b9e41c0f2a5b56b31-Bud.McCarty@ncmail.net]; carrie.jacobson@state.sd.us [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1bb4b972cf3a4f79b56289808c66b6ed-carrie.jacobson@state.sd.us]; Celeste, Laurel [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8f5194a050ce4b758e02e6835fe0b43d-Celeste, Laurel]; cerickso@nd.gov [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d5dce557c95e4ad98620f0ce2b70e75b-cerickso@nd.gov]; charles.w.armstead@wv.gov [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=58116431b3744e10a6529f3ba85402b0-charles.w.armstead@wv.gov]; Chin, Vivian [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a361e72dbf2043bba6ba4604a2975aed-Chin, Vivian]; Chow, Emily [/o=ExchangeLabs/ou=Exchange Administrative Group